

2 papers
Swartwout defalcation
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SPEECH

OF

MR. DUNCAN, OF OHIO.

In House of Representatives, January 17, 1839—On the resolution providing for the appointment of a committee to inquire into the defalcations of Samuel Swartwout.

Mr. DUNCAN said he had been anxious to obtain the floor for some days, to participate in the discussion of this resolution, but he had not succeeded in his attempts to catch the Speaker's attention; and although he sometimes felt disappointed, at the moment, that he was not permitted to do something towards arresting the unbroken torrent of abuse which has been daily and hourly poured upon the heads of the Administration, from the first day of the session to this time, yet he felt pleased that his rights were deferred till now. The unbounded range which the debate has taken, and the unlimited privilege tolerated by the Chair to those who had entered the discussion, by which every subject of the political or human character, proper and improper to be talked of, here or elsewhere, has been drawn into the vortex of discussion, and all attempted to be made to bear upon this Administration, to its prejudice, and to the destruction of the confidence of the people in it, whose Administration it is. I say that I do not regret that I have been deferred until now, because the course and spread the debate has taken gives me a wider space to move in. I trust, sir, although I shall deviate in many of the remarks I shall make from the real question, I shall not be considered out of order, provided my remarks go to reply to the remarks of those who have preceded me in this discussion; for I hold, sir, that when remarks are made, in discussion, unfavorable in their character to the reputation of the Administration, or any individual, whether in a public or private station, even if the remarks be out of order, yet, sir, it is right that they should be answered, at all times,

when justice and truth require it, without regard to the question or measure immediately under consideration.

Sir, in the remarks I am about to make, I shall feel bound to answer many charges against the Administration and the Republican party, made during this debate. I am aware that many of those charges were made in open violation of order and the rules that regulate debate in this House. And it may be said it is equally out of order to answer charges, propositions, or arguments, which are themselves out of order. This may be true in the general, but never ought to prevail at the expense of justice or reputation. I hope, then, sir, that I shall be permitted, without interruption, to respond to the charges to which I allude, and to indulge me in this hope will be an exercise of no more liberality than has been extended to those who have made them. That much I have a right to look for. That much I will expect.

As to the object of the resolution, I presume there is but one opinion. All will agree that Swartwout's defalcations, and the defalcations of many other officers in this Government, ought to be exposed; so ought all persons, public and private, who either connive at them, or by whose neglect they may have been permitted to occur. I, however, am not aware that any substantial benefit can grow out of the investigation now proposed to be made. The objects desired to be attained by the investigation, seem to me to be in possession of the House and the country: that is, that the Government has been defrauded out of near a million and a quarter of money, and that the Conservative Whig scoundrel, Samuel Swartwout, has done it, and has placed himself far on the other side of your investigation. If an investigation can be made without additional expense and loss to the

Government, or if any portion of the money can be found, or if there are others within our jurisdiction who may have been engaged in this stupendous fraud, and who may be brought to punishment by the proposed investigation, I am willing and anxious for it, but I protest against the mode proposed of raising the committee who shall make this investigation. It is proposed to have this committee appointed by the House. I object to any innovation upon the usual mode. It is the province of the Speaker to appoint committees, unless otherwise ordered by the House. I have some objections to "otherwise ordering" the appointment of this committee. First, because it will be a reflection upon the Speaker, whose character and reputation are identified with the character, reputation and honor of this body; and whose official course, while it continues as honorable, able, impartial and dignified as it has been, merits the esteem of this House, and will have the confidence of the country. Second, because I believe that greater discrimination, and less party partiality, will be exercised in the choice of the committee if selected by the Speaker, than will be exercised by the House. Third, because there is less responsibility attached in the appointment by the House than by the Speaker. If by the House, the committee is responsible. If by the Speaker, we have the responsibility of the Speaker and the committee.

It has been intimated that, should the committee be appointed by the Speaker, it will be a "white-washing" committee. Sir, I object to the appointment of the committee by the House, because the Whigs and their "friends and allies," the Conservatives, have the ascendancy in this House, and a majority of that committee will consist of Whigs and Conservatives. Swartwout was a Conservative-Whig. I am confident every effort will be used by the committee to whitewash the black frauds and corrupt iniquities of Swartwout, and blackwash the Administration. I object also to the appointment of the committee by the House, because a part of that committee may consist of members who have formed and expressed an opinion unfavorable to the Secretary of the Treasury, in relation to the defalcations of Swartwout, whom I consider wholly unfit for a place on that committee. It would be as disgraceful for this House to place such a member on that committee as it would be dishonorable for him to serve on it. But should the House determine that this investigation shall go on, and that the House shall appoint the committee, I hope that it will not be by ballot, as proposed, but that it will be appointed *viva voce*, so that the country may understand and see who is responsible for the character of the committee. I hope in this business there will be no dodging. I hope every man will "toe the mark" and show his hand. We act for our country, and not for ourselves. Those we represent have a right to know what we do. I say, if this committee is to be appointed by the House, let it be done *viva voce*. Come out, gentlemen, and show your hands. I hope we will see no skulking behind the "cotton bags."

Mr. Speaker, we have been tossed and rolled upon the waves of party and the billows of faction

for some days, yes, some weeks; and so high has run the sea by party tempest, that we have been in danger of losing sight of that harbor in which the vessel of State was destined to ride by the framers of the Constitution. There is danger of losing sight of those principles which must be considered fundamental, and which must continue to be the basis of our Government so long as it is of a Republican character.

There is no better method of perpetuating our free institutions than a frequent recurrence to first principles, and a strict adherence to the letter of the Constitution. Nothing short of these can secure either perpetuity to the Government, or happiness to the people. I believe that ours is a Government of the people, and its principles recognise the right of the people to govern themselves, either by themselves or by their representatives, legislative and executive. The principle of self-government embraces and implies the capacity for self-government and the right and the capacity for self-government implies and involves the right to instruct those whom the people may select to represent them in the law-making power, as well as those who may be appointed to execute the laws. Indeed, we may say that public opinion is the law in this country. No law can be executed contrary to the popular will, although it may have all the legislative and judicial sanction necessary to its existence; yet obedience and submission to all laws, while they exist are the moral and political duties of every citizen. But, sir, one of the highest duties we as Representatives owe, or can owe, to those we represent is to sustain those measures which are the choice of the people; and the strongest evidence that we can have that a given measure is popular with the people, and that it is our duty to carry that measure out, so far as it depends upon our official powers, is that we have been elected to office with reference to that measure. When an Administration is elected by the people, upon political questions involving their interest, the vote which is given in this election is an expression of the people in favor of or against it, (as the case may be.) The men who are elected, are but the instruments in the hands of the people to carry out the policy involved in those questions. The correctness of these propositions will not be openly denied by any, but they have been obliquely and covertly denied by the whole Opposition of this House. It is done indirectly, by making the broad and unqualified assertion, that the *will* of the people is not manifested in the official existence of this Administration, that the people have been blindly led into error by designing demagogues, and that the result of the elections is no evidence of what may be the wish or will of the people. Sir, this is carrying out a fundamental principle of the Federal party, so recognized and practised upon by the party, from the commencement of our Government to this time, viz: that there is too much want of integrity, intelligence, stability, and moral rectitude with the common people for self-government. Sir, I will before I take my seat say more on this subject. I will dismiss it at this time with the only declaration which the baseness of the charge will admit of; and on behalf of the American people, I fearlessly pronounce the charge

a base slander upon their intelligence, and their moral and political integrity.

But, sir, have the principles laid down in this discussion by gentlemen of the Opposition, corresponded with these fundamental principles? Have they not broken over every barrier that has been erected for the preservation of those rights and principles, which have cost so much? What terms of reproach have not been used in denouncing this Administration, and all its leading measures? Sir, I repeat, I have ever heard that a want of confidence in the intelligence, capacity, stability, and moral firmness in the common people for self-government, constitutes a leading feature in the principles of the aristocrats in other countries, and the Federalists in this; but I have never seen that principle so manifest, and so plainly developed, as it has been in this discussion. These denunciations are unwarrantable and indefensible in a political sense, and revolutionary in their nature and tendencies. If ever there was an administration of the people since the formation of our Government, or if there ever will be to its final dissolution, it is this Administration. If there ever were, or ever will be, measures which were, or are to be, considered the measures of the people, the leading measures of this Administration are so. The chief officers of the Administration have been elected by the people with a full knowledge of their merits, their principles, and their capacities, for the elevated stations in which they have been placed.

The leading measures of this Administration are the measures of the people; all the prominent recommendations contained in the President's Message involve the same principles which have received the decision and sanction of the people, after mature discussion and enlightened deliberation; and now to denounce them in the unmeasured terms of reproach and defamation, as well the Administration as the measures themselves, is to deny, in direct terms, as well the capacity of the people to select their political representatives, as their capacity to judge of the fitness or unfitness of such measures as directly involve their highest and their deepest interests, and perfectly in character with the fact, that a want of confidence in the integrity and intelligence of the people constitutes a prominent and fundamental principle of the Federal or aristocratic party in this country.

The President recognises the fact, that our political institutions are becoming more and more under the control of the people, and that the growth of intelligence is equal to the duties of their protection and preservation. The gentleman from Tennessee [Mr. BELL] denies this, and refers us to the "mob" in Pennsylvania, as an evidence that such is not the fact; but that we are in a state of disorder. And, sir, I affirm that our political institutions, and all the pure principles thereupon depending, are in a high state of preservation and durability; and for the truth of my affirmation, I refer to the "mob" in Pennsylvania; and let me say, that I look upon the proceedings of the Democracy ("rabble," as they have here been called) of Pennsylvania, as a most valuable evidence that there is enough of the Revolutionary spirit of '76 yet existing to repel any attempt at usurpation of power not recognised by the institutions of our country.

The attempt at usurpation by the Bank Federalists of Pennsylvania, was an attempt to establish power, in violation of the Constitution, as well of the United States as of the State of Pennsylvania. It was an attempt at disorganization, a prostration of our free institutions, and an effort to trample in the dust the elective franchise. The workers of such iniquity will only be known hereafter in infamy, and ought to be marked by the frown and indignation of every patriot and friend to his country. It is to be hoped that the Constitution and our free institutions, whenever and wherever assailed, and attempted to be prostrated, as they were by the hired Bank minions of Pennsylvania, may find such a Democracy for their protection as that which rallied to their standard at Harrisburg. Such being the case, we have nothing to fear from all the political demagogues, Bank vassals, and stockjobbing gamblers that may array themselves against the country and the Constitution.

It was somewhat amusing to witness the call of Governor Ritner upon the militia, to preserve order and put down the mob!! That was to say, that he desired the Democracy, (for the militia are the Democracy,) in their military capacity, to put down the Democracy in their civil capacity, for maintaining their Constitution, and their blood purchased liberties; for it was all the work of the militia, civil or military; the Democracy constituted the "mob," and the "mob" constituted the militia. The difference was about the difference in the boy's alternate dinners, which was round dumplings one day, and square dumplings the next. But if there had been any "putting down" in the business, the object for which the militia was called, viz: to put down the "mob," Governor Ritner and his instruments would have been the first who would have been "put down." The marble palace in Chestnut street and the Bank autocrat Nicholas would have been the next objects that would have been "put down," and that would have been all the putting down that would have been necessary to have restored order to society and duration to the free institutions of Pennsylvania; and it seems that even that has not been necessary to secure the order which now prevails: how long it may continue is a question that has its answer in things not yet seen. Sir, I have said the Democracy were the militia. This is the case in general; but I have understood that a part of the troops ordered from Philadelphia were of the white fingered gentry, in number perhaps one thousand. A thousand of the wasp-waisted gentry to quell the Democracy of Pennsylvania—monstrous!!! Had this bandy-legged regiment (Whig militia) come in contact with the Dutch Democracy, the fight would have been a leg fight. It would have been like the wattle races I have seen run in the West; he that ran the fastest received the fewest stripes. The Whig militia would have saved themselves by the quality of their heels. I think it was in the battle of Pharsalia, between the two Roman generals, Pompey and Cæsar, the former headed by the patricians, (Aristocracy,) the latter the plebians, (Democracy.) Pompey placed his cavalry, which consisted of the young patrician noblemen, on the left wing of his army; and Cæsar placed his pikemen (hardy Democrats) on the right

wing of his army, who consequently faced Pompey's cavalry; just before the action commenced, Cæsar passed in front of his lines with the rapidity of an eagle, to his pikemen, and directed them to make the attack with great spirit and violence, and at the onset to charge the young noblemen with the sharp points of their pikes in the face; saying that the preservation of the delicacy, beauty, and uniformity of their faces and features was a paramount consideration with them, and of more interest than Pompey's victory over the troops of Cæsar. His directions were obeyed; the charge was made in the faces of the cavalry, who instantly wheeled and fled. Such, sir, would have been the flight of the white fingered militia of Pennsylvania. The intrusion of the weapons which the Almighty has placed at the end of each Democrat's arm, into the faces of Governor Ritner's patrician militia, would have instantly produced precipitate flight. I have nothing more to say about the Pennsylvania "mob." I would not have said any thing on the subject, but have left all discussion relating thereto to the honorable and worthy gentlemen who represent that State, had not other members interfered who have as little interest in the affairs of Pennsylvania as I have, and as little business to meddle therewith.

The gentleman from Tennessee [Mr. BELL] complains that the President and Secretary recommend economy, and, because this recommendation is presented to the public in each Executive document, the people are thereby deceived, and says that such frauds upon "the credulity of the people ought to be stopped;" that is to say, the President and heads of the Departments ought not to recommend economy in the administration of the Government. I have no doubt, sir, but what these Executive recommendations of economy greatly annoy the Federal party, whose unremitting object seems to be to bankrupt this Government, if there is no other way to break down this Administration, and prostrate the Democratic party. Yes, sir, I have no doubt but that a recommendation from the President and Secretary to Congress, to be liberal, magnificent, and even extravagant, in public expenditures, would have been much more acceptable to the gentleman and some more of his party. Such a recommendation could have been used much more conveniently for Whig President making, than an economical recommendation, and would have been much more in character with the votes of the gentleman's party, which the journals display.

Sir, it has ever been a cardinal point with the Democracy, and with every Democratic Administration, to confine the public expenditures to the absolute wants of the Government. Such a policy is not only indispensable to the purposes of economy, but indispensable to keep the Government within the limits necessary to secure and perpetuate liberty to the people.

There is nothing that can so much endanger the free institutions of a country, and the freedom of its citizens, as a rich and powerful Government. If the people be rich and happy, the Government must be poor. If the Government be rich and powerful, the people will be poor and weak; for the simple reasons, that all rich Governments are made so by the wealth of the people, and whatever

is taken from them to enrich the Government must make them proportionately poor; and in proportion to the wealth of the Government, so will it be powerful, and in proportion to its power, so will the people be weak. If the Government is the master, the people will be slaves; for both cannot be rich, both cannot be powerful, nor can both be masters. I hope there is no friend to his country of this Congress, or of any other Congress to come, in all time, who will hesitate to carry out the President's recommendation of economy in the expenditures of the Government. I say, *I hope* this recommendation may be unanimously sustained, but I fear such will not be the case. We have a party here (the party opposed to the Administration) who seem to owe it as a duty to their principles and their party, to oppose every measure that is recommended by the Executive Department, or brought forward by its supporters. It is enough that the Administration recommends a measure, to rally in one concert howl the whole pack of Oppositionists. The Executive and the Secretary of the Treasury recommend economy, present an estimate of the probable wants of the Government, but various works of a public nature (and many of them unconstitutional) are authorized by Congress, and appropriations directed to carry them on, to more than twice the amount of the estimates; and if the means of the Government happen to fall short, then we have a general Federal yelp of extravagance, extravagance, profligacy, and ruin, by the very party—yes, by the very men—who have been the means of involving the Government and bankrupting the Treasury, by unconstitutional and extravagant appropriations; and these are the men who preach economy to the people with their lips, but practice extravagance in their hearts.

Mr. Speaker, I entered upon this discussion with great diffidence; not but what truth, facts, and argument are on our side, but because it is impossible to know where to find our enemy. They are as inaccessible as the Seminoles of Florida, who skulk beyond the swamps and within the dense hammocks, or the Circassians, who secure themselves in and upon the inaccessible Caucasus of Asia. Was it not for one feature in the principles and conduct of the modern Whigs, they would be impervious to defeat; they would be like brigands; they would eat, drink, and sleep with the apparent sociability of a friend with those who are the constant subjects of their plunder. I say, if it were not for one feature in their political conduct; that is, never-ceasing hostility to the principles of Democracy; that is a paramount object, and before which every thing else, moral, political, or religious, must give way. That is the link which unites them as close as the Siamese twins. Our enemies have no name; or perhaps they have so many names, that little advantage could be derived from advertising them. The number of aliases necessary to designate them would swell the price of an advertisement above their value. I believe that all honest men regard a frequent change of one's name as an evidence of base dishonesty and fraud. If you hear of a man giving himself the name of A B at one of your neighboring towns, C D at another, and at another E F, you will surely come to the conclu-

sion that he is a horse thief, a robber, or something of the kind. So in a political sense, suspicions would justly be entertained of the political honesty and integrity of a party who are perpetually changing their names with the return of every general and important election. There is no man sufficiently watchful of his political rights, who will not look upon such a party with jealousy and great suspicion. Nor are the Federalists more prolific of names than they are in principles. They have a new code of principles for each election that is presented. Whenever it is necessary to rally upon a given election of general interest, they baptize themselves with a new name, and make such principles and maxims their watchwords as may answer the particular case. Can I have your attention, sir, while I trace up some of their inconsistencies, practised for political effect. In 1796, when Federalism had the ascendancy, and overshadowed every prospect of the country; in the reign of terror, when it was common to wear a black cockade, the term *Whig* was then considered an opprobrious term; it was synonymous with Democrat, and both only fit for the lower orders, or, in the Federal language of the times, was fit for the *common people*; while that of Federalist was alone fit for those who were a little *uncommon*; but now, for political effect, the same party have taken the term *Whig* to themselves. The adoption of this cognomen has answered them some purpose. It has answered the purpose of gulling a few of the unwary; but the object of its adoption begins to be understood. It is losing its charms. The Federalists will be compelled to take another name, to meet the next Congressional and Presidential elections. The term *Loco Foco* is now given to the Democracy by the Federalists, as a taunt and a term of reproach. I shall not be astonished at all if the Federalists should steal the name from the Democracy, and baptise themselves with it, before the year 1840. We will then have a Bank-Federal-Loeco-Foco party to contend with. In 1812-14, when war was declared against England for the most violent and outrageous trespasses upon our commercial and other rights, in the open violation of the established laws, usages and customs of nations, the Federal party, who were always a little more attached to the Constitution, laws and customs of England than to their own, and always deadly hostile to France, said tauntingly, "Why don't you declare war against France, and recover your French spoiliations? You are resting under national degradation. France has done you more injury than England." But war was prosecuted against England, and terminated with the memorable battle of the 8th of January, on the plains of New Orleans; a battle which not only concluded the war, but shed a blaze of patriotism, and a halo of glory over this country, and this nation, which no other victory ever did, and won laurels for those who gained it, that will bloom in memory, when they (ay, and the gentleman from Kentucky, [Mr. UNDERWOOD,] who rejoiced that there were no cannon fired here on the 8th of January,) shall mingle with the dust. But the time came when, to save the nation's honor, and do justice to those whose rights had been violated, it became the duty of the Chief Magistrate

to call the attention of Congress, and of the American people, to the redress of the injuries which we had sustained by the French spoiliations, and the only means left for President Jackson was to recommend *reprisals*. At this, the whole Federal party started, as if by one universal electric shock, and said: What! are you about to declare war against France for the paltry sum of 25,000,000 francs? What! are you about to involve this nation in a war with France, that must deluge us in blood, and sink us in bankruptcy and ruin, for the paltry consideration of 25,000,000 of francs? Are you about to declare war against France, who assisted you through with your Revolutionary struggle, and to whom you owe a debt of gratitude you never can pay, an obligation that never can be cancelled, for the paltry consideration of 25,000,000 francs?

Yes, sir, this was the cry then, and it was howled as loud, as long, and as piteously as the crocodile cry of corruption, corruption, and panic, panic, is now howled. In 1811, when the recharter of the old Bank of the United States was under Congressional discussion, Mr. Clay, the now leader of the Federal party, denounced the Bank as unconstitutional. He contended that Congress had no power to incorporate a bank or any other institution, and that a Bank was a dangerous and an unsafe institution, but now, sir, without any change or amendment of the Constitution, and without any material change in the policy of our country or difference in our institutions, a Bank is the very thing we want, and is perfectly constitutional. In 1816, Daniel Webster, whose opinions are constitutional law is the political Koran of the Federal party; and before whose opinions they fall prostrate, kiss the ground, and worship as before Omnipotence, said that gold and silver was the only currency recognised by, and known to the Constitution. It was the law of the land at home, and the law of the world abroad. But now the rag-tag shiplaster currency answers all the purposes of a national currency, and is perfectly constitutional with that gentleman and all his party. In 1830, when the great political question, in which all others were merged, was the recharter of the Bank of the United States, Mr. McDuffie, chairman of the Committee of Ways and Means, made a report in favor of the recharter of the Bank, which was popular with the Federal Bank party. Every sentence and word of that report was hailed as good orthodox Bank Federal doctrine, and no part of it was more popular than the following passage, which constituted the objections of the committee to a *National Bank*, and the avowed objections of the Federal party to such an institution. In relation to a National Bank, (speaking of the number of agents which the *United States Bank* employed, and their political influence,) he says: "But the patronage resulting from the appointment—the annual appointment of these agents, great as it would doubtless be, would be insignificant and harmless when compared with that which would result from the dispensation of Bank accommodations, to the standing amount of fifty millions of dollars! The mind almost instinctively shrinks from the contemplation of an idea so ominous to the purity of the Government and the liberties of

the people. No Government of which the committee have any knowledge, except, perhaps, the despotism of Russia, was ever invested with a patronage at once so prodigious in its influence, and so dangerous in its character. In the most desperate financial extremities, no other European Government has ever entered upon an experiment so perilous. If the whole patronage of the English monarchy were concentrated in the hands of the American Executive, it may be well doubted whether the public liberty would be so much endangered by it, as it would by this vast pecuniary machine."

This was the opinion of the Federalists in 1830, 1831, and 1832, in relation to a National Bank. So it was then, always was, and will be, the opinion of the Democracy of this country. This document had a circulation throughout the United States that no other document ever had. It flew through the country like leaves in the fall, fell upon the highways, cross-roads, in the fields, and in every door yard; those who could read, were compelled to read it; and those who could not, had it read to them; and no part of that report was used in argument in favor of the recharter of the United States Bank more than that part which I have cited. It was used to put down and nullify the mere suggestion which Gen. Jackson advanced, that a National Bank *might*, perhaps, be established, within the power of the Constitution, and of less dangerous tendencies. But what will you think, sir, of Federal consistency, when I tell you that no sooner had Gen. Jackson vetoed the Bank of the United States, and the people had, by an overwhelming majority, sustained him in his course, than the Federalists were for "*a National Bank!*" Yes, sir, for a National Bank, with all its subjugating tendencies and "*Russian despotism!*" and in 1834, the Congressional elections turned upon the question of a National Bank.

In 1834-5, when the General Government was receiving the notes of specie paying banks in liquidation of the land purchases, the Administration was denounced and the practice deprecated as destructive to the rights of the people and their interest in the public domain. It was rung upon every change that the Administration was frittering away the public lands, which were reserved in trust for the use of the people, and taking in consideration the shipplasters of irresponsible banks. True it was, sir, that the spirit of speculation was about to draw the whole public domain in its vortex. Those who had credit could obtain bank notes by the quire, and purchase hundreds of thousands of acres of the public lands, perhaps to the loss of the Government, as there was an uncertainty of the power of the banks to redeem their paper, and to the great injury and prejudice of the poor and industrious man, for whose use the land is, and really of right ought to be, held. Such was the rage for speculation, and such was the system of monopoly, that the country was threatened with the introduction of the feudal system, with the vacillating and degrading tendencies peculiar to a system of landlords and tenants.

General Jackson, seeing the progress of these overwhelming evils, recommended what was called the specie circular to the Secretary of the Treas-

ury. The policy was adopted, which was to prohibit the sale of a greater quantity of land than 320 acres to one individual, for any other kind of currency than gold and silver. This measure had the desired effect, viz: to bring a sound currency into the Treasury, and in some degree to check the rage for wild speculation, and to secure the public domain from the grasp of the wealthy monopolizer. But no sooner was the specie circular put into successful operation, than the whole pack of the Opposition again raised the howl. The Administration was denounced for declaring war upon the banks, war upon the credit system, and making an odious distinction in the currency between the Government and the people. There was not a Whig whiffet in the country, but could ask with great emphasis, "What, is the Administration about to establish two currencies, one for the Government, and one for the people?" "The Government must have gold and silver, while the people are to have shipplasters." Again, in 1834, '5, and '6, the Federalists said it was unsafe to deposite the public revenue in the local banks. They were unfit for financial agents, and the "banks and local bank deposite system was in character with the ruinous and destructive policy of the Administration." Well, in 1837, when the banks suspended payment, locked up the public revenue, and proved themselves faithless agents, and unworthy of the confidence of the community and the Government, and when, in consequence, thereof, it became the duty of the President of the United States to recommend a separation of the Government finances from the banks, and the establishment of an independent constitutional Treasury, then, again, was the whole force of the Federalists arrayed against the Administration, and every possible motive but that which was good or patriotic attributed to them. Ruin to the country, desolation to commerce, destruction to the banks, and prostration to every interest, public and private, was sung from Maine to Mexico, and as in the case of the Treasury circular, "two currencies!" "one for the Government, and one for the people," was exclaimed and vociferated by every Whig thing in the country.

Further, when General Jackson was run for President, in 1824, '28, and '32, the Democracy were warned most solemnly and lovingly not to support a military chieftain for the Presidency. We were told and admonished, in an apparent spirit of patriotism and love of country, that all Governments had fallen, and all Republics had been subverted, by the destroying hands of military chieftains and military ambition. Yes, sir, we were told that "war, pestilence, and famine" would be our fate, if we should place a military chieftain in the Executive chair. The hero of New Orleans ought not to be made President of these United States; we must have a civilian for a President. But General Jackson was elected; he served his first term, but no military despotism made its appearance. He was elected a second time, and served out his term, but no military despotism yet appeared. But there were some honest persons of the Democracy who perhaps thought there would be more safety in bestowing the Presidency upon a civilian; and a distinguished

one, in the person of Martin Van Buren, was presented to the American people as the Democratic candidate for the Presidency. But now it was discovered that a civilian was not so safe as was thought, and particularly the one now offered; and a military chieftain was brought forward in the person of Major General William Henry Harrison, commander-in-chief of the northwestern army, and offered as the competing candidate against the civilian already named. Yes, sir, in 1832 there was danger, ay, ruin to the country and downfall of the Government attendant on the election of the hero of New Orleans to the Presidency; but in 1836 there was no danger in electing the hero of Tippecanoe to the same high station.

Again: when General Jackson was President, the Federalists said Martin Van Buren administered the Government. Jackson's messages were splendid documents in point of talent; they could not be surpassed. All the objections the Federalists had to them consisted in their hostility to the Democratic doctrines they contained; but they said General Jackson neither composed nor wrote them; they were Martin Van Buren's messages. But now that Martin Van Buren is President, every leading measure and proposition of the Administration comes from the Hermitage. Sir, I repeat the question again: What confidence is to be placed in a party who change their name and their principles with the return of every election?

Sir, in the ordinary pursuits of life, you would repudiate a man who would be guilty of such conduct; you would consider him unworthy of your confidence, or even of your charity. Such conduct in an individual would justly make him the subject of suspicion and criminal arrest. What confidence, then, should be placed in such a party, when the great principles of liberty are involved in their political creeds and names?

But, sir, I have presented this array of Federal inconsistencies, not merely for the purpose of exposing the base practice of changing names and principles for the unhallowed purposes of political deception, but, also, to prove what I have already stated, and what has been well known in reference to the principles of the Federal party; which is, that it is a part of their faith, and a fundamental principle of their doctrine, that the common people have not the intelligence, firmness, and moral integrity necessary for self-government; and all these changes of names, and professed changes of principles, is base and black hypocrisy.

Sir, it is all stratagem and political fraud. They have but one name, and that name they have had from the commencement of the Government, and it is significant of their principles. Their principles are well established and well understood by the reading and thinking community. and simply consist in an attachment to all those institutions which have for their object the dwarfing the sovereignty and independence of the States; aggrandizing and strengthening the Federal Government; the establishment of monopolizing institutions, which, in their nature and all their tendencies, are calculated to establish inequalities among mankind, and "to make the rich richer, and the poor poorer;" consequently, it is a cardinal point with them to subvert the principles of Democracy, and prostrate every

man who has the patriotism and independence to avow them. Sir, the siege of Democracy is older than the siege of Tyre; and, like her besiegers, the Federalists of this country have toiled to demolish the institutions of Democracy, until their "heads are bald, and their shoulders peeled," yet they endure, and strengthen by duration.

Sir, we have had a prophetic destruction from the gentleman from Mississippi, [Mr. PRENTISS,] as blighting as that pronounced by the inspired prophets against Babylon. He has told us, in substance, that, if this Administration is to be continued, this Government must fall; your Constitution will be rent, and scattered to the four winds. This would be bad. Your free institutions will be prostrated and levelled with the earth. This would be worse. This magnificent pile of noble architecture will totter, tumble, crumble, and mingle with the dust of the pyramids of Egypt, the temples of Greece, and the obelisks of Rome! Hardly a scratch or scroll will be found upon the lofty columns that now surround us, to give name to this magnificent temple of liberty to the curious and romantic wanderer in after ages! All this is withering prophecy to the philanthropist and the lover of liberty, but the worst is yet to come; that which will be far more distressing to the lover of science, literature, and politics. The gentleman concluded his prophecy by the chilling threat, that if Martin Van Buren is again to be elected President of these United States, he, the gentleman, will do—what, sir? Take the Great Western, and go to Liverpool! Yes, sir, the gentleman will expatriate himself from this Government. What a calamity! It will be the founting up of all the other calamities that await this people and this Government, if this wicked Administration is to be continued.

I think the Democracy, sir, will have to take this last threatened calamity seriously into consideration. When I go home I will lay the matter in a proper manner, before the first Democratic convention which maybe held in the district. I have the honor to represent. I will also consult some of my old and well tried friends in Democracy. Father Felter and father Dawson are patriarchs in Democracy. They are experienced in political matters. They are doctors in Democracy, and, withal, sound, pure, and upright patriots at heart. Their opinions on this important question will be of great weight. I think the Democracy, so far as my district is concerned, will take such order on the question as will operate to the best interests of the country. Should I have the honor of a seat in the next national convention, which will be held for the Presidential nominations of 1840, I will lay the matter before the convention, and it shall be thought that the loss of the gentleman as a citizen of the United States will be an injury paramount to the benefits of Mr. Van Buren's administration, why, Mr. Van Buren "then, and in that case," will be withdrawn, and some less dangerous man shall be taken up in his place. I know that the Democracy will do what is right in the premises. But, sir, I hope, if the gentleman should expatriate himself, and "take the Great Western for Liverpool," still it may not prove the final end of this Government. When Alexander the Great planted the Grecian standard in the soil of India, and was carrying his conquests into the interior thereof, and one victory seemed to be gained to the glory of the Grecian arms but to give way for another equally glorious, in all these battles Alexander was found in the front ranks. (A most happy admonition to some of our liveried gentlemen, who had better be in Florida, or at some other post, where they would be doing more service to their country, than hanging and lounging about the city of Washington, each occupying the room of two at all your balls, routs, and assemblies, where, in some instances, there is nothing but *women* to fight.) Some of his officers, in the most friendly manner, admonished the King of the danger he was risking in thus exposing his royal person, and the great interest that Greece had in the preservation of his life. The King answered that the welfare of Greece did not depend on the life or death of one man. So I would hope, sir, that the duration and welfare of this Republic does not depend on the presence or absence, or life or death, of any one man. But this Republic may fall; yes, sir, it will fall, as did the Assyrian empire, when the Medes were governed by a mule, and from the same cause. Croesus, King of Assyria, consulted the oracle Delphos, for purposes that related to his future prosperity, and the prosperity of his empire. He was told that when he crossed the river Halys, that a great empire would be destroyed; and that when the Medes should be governed by a mule, he would be in danger. He never dreamed that it was to be his own empire that was to be destroyed when he should cross the river Halys, and he thought the thing impossible that ever the Medes should be ruled by a mule. But after his empire was destroyed, and he made prisoner by Cyrus, King of Persia, he sent a gold chain, with a reprimand, to the Delphic oracle for so deceiving him; he was informed by the oracle that it was his own empire it was meant should be destroyed, when he should pass the river Halys, and that Cyrus

was the mule who was to govern the Medes—a mule being a mongrel beast, half ass and half horse. And that Cyrus, being the son of Cambyses, king of Persia, and Mandanis, daughter of Astyages, king of the Medes, he was of mongrel composition—one-half of his blood Persian, by his father, and the other that of the Medes, by his mother. So, sir, when this Republic comes to be governed by a mule, (Federal sway,) it will fail, or it will be subverted. Sir, what is the Federal party? A mongrel composition consisting of part Bank and part anti-Bank, Masonic and anti-Masonic, Abolition and anti-Abolition, &c. &c. Made up, sir, of the factions and fractions, and odds and ends of all factions, bound together by no common principle or tie but natural and unrelenting hostility to the Democratic party, and the Democratic principles. When the day shall come that this mule shall govern this country and this people, then will our Republic fall, and our free institutions crumble to the ground, and mingle with the dust of the free institutions of other Republics which have fallen by the misrule of similar factions and ambitious demagogues.

Sir, as an evidence that this corrupt Administration is soon to be overthrown, the gentleman has presented us, in glowing colors, the recent Federal victories in New York. And the gentleman attempted to amuse us with the effect that that Federal triumph must have had upon the President. It is true that the State of New York has given, at the recent election, a Federal vote by a small majority, much smaller than it was at the preceding election. And I have no doubt but that the Federal success last fall was the necessary result, to secure Democratic success to the next Presidential election. Yes, sir, the ten thousand tricks, stratagems, and base frauds, which were used to deceive the Democracy, and to secure Federal success, will recoil with ten-fold force upon the heads of the workers of such base iniquities; and, besides, a defeat something like that of New York was necessary to keep up that Democratic watchfulness, so indispensable to the preservation of our free institutions. With the rushing torrent of political prosperity, which was the lot of the Democracy last fall, there was danger of falling into carelessness and apathy, from which we could only have been rescued by some great violation of our political rights, such as occurred in 1824, when the people by fraud, corruption, and bargain, were cheated out of the man of their choice for the first office in their gift. But, sir, the Federal success in New York, and the manner by which such a result was brought about, will keep up a laudable and wholesome Democratic excitement, which will not be limited to that State, but will influence more or less the Democracy throughout the Union, and will tell a woful tale for Federalism in 1840.

I think the gentleman compared the effect of the New York elections, upon the President, to the paralyzing effects of the handwriting on the wall upon Belshazzar. I suppose that hand was the shadow of the hand of the Almighty, and the writing was a divine prediction of the death of Belshazzar, and the destruction of Babylon. Sir, I believe in the interposition of Divine Providence in national affairs, even at this day; and I think some of the Federal defeats which we have witnessed recently bear a striking resemblance to the destruction of Babylon, and some other of the ancient cities and kingdoms of the old world, evidently by the hand of the Almighty. So, sir, we have some striking evidences of the kindly interposition of Providence, in the protection of our Government, and our free institutions. That kind of interference which lighted the path of Cyrus to conquest and glory, that kind of Divine interposition which made him the instrument by which the proud city of Babylon was destroyed, and the Assyrian empire dissolved, I say I think we have some manifestations of Providence favorable to the duration of our free institutions, and the preservation of our Government. To say nothing about the traces of an overruling Providence, which are to be seen through the whole Revolutionary war—that shook off the shackles and chains that bound us at the footstool of a British throne, and made us a free people; that nerved our gallant ancestors, who successfully lighted the beacon of rebellion, and sealed with their blood the charter that secures to us perpetual liberty; I say, to say nothing of *Him* in that day of trial, who withheld the battle from the strong and the race from the swift, we have abundance of evidence of the same interposition in our second struggle for independence. When the colossal power of Great Britain, with her triumphant navy, and her invincibles of Wellington, flushed with victory, and trained to pillage and human slaughter, were posted on one side of the continent, an innumerable band of mercenary savages, whose thirst was for blood, and whose pleasure and delight were concentrated in the barbarous use of the tomahawk and scalping knife, and a combination of Tories, Federalists, and the eastern moneyed associations of our own country, combined to crush our young Republic at a blow; and yet, against this powerful odds, our armies were led to victory, glory, and an honorable peace. Again: it will be remembered the indignation which was felt throughout the land, when the man of the people's choice in 1824 was barred out of the high seat assigned him. The elective franchise and the right of instruction (bulwarks of our liberty) were considered as trampled upon, and the voice of the country disregarded. This, sir, was true. But as to the effect

how short-sighted is weak man! We little thought, then, that there was a secret wisdom at work far superior to the wisdom of man. This providential interference afterwards developed itself to our understanding, and the gratification of every patriot, and every lover of freedom and of equal rights. The secret consisted in reserving the man whom we desired should be President *then, for another time*, when there were duties to perform, which, I undertake to say, there was no other man in the United States who had the nerve and the moral courage to do. Could we have been gratified in our wish to place General Jackson in the Presidential chair in 1824, his time would have expired (giving him two terms) in 1832, four years before the expiration of the charter of the Bank of the United States; the consequence of which would have been that the Bank would have been rechartered, perhaps for all time, with a capital unlimited and powers unlimited. Yes, sir, that subsidizing and debasing institution would have been fastened upon this Republic; it would have been a devouring cancer upon the liberties of the people; and we, and our posterity in all time to come, the subjects of a great moneyed oligarchy and the serfs of a Bank autocrat. But the Constitution was saved and the liberties of the country secured, by the timely interference of Him who holds the destiny of nations at His will.

While I am on this subject, it will not be improper to notice some curious circumstances of a national character which seem, if not to partake of the supervision of which I have been speaking, at least to have all the characteristics of retributive justice. I allude, sir, to the rejection of the distinguished and talented statesman and accomplished gentleman who now fills the Executive chair of these United States. It will be remembered that, during the late Administration, General Jackson nominated, in the recess of Congress, Martin Van Buren minister to the Court of St. James. The Senate of the United States—having a majority at that time opposed to the Administration and the Democratic party, but since reformed by the people—rejected the nomination, and Mr. Van Buren was of course called home. What followed? Why, the people, the freemen of the country, elected him Vice President of the United States; elected him to the second office within their gift; placed him in that same Senate, to preside over the same men who, for party purposes, narrow party considerations, had rejected him. What a triumph of principle and of retributive justice! But the laudable and popular indignation for such base injustice did not stop there. Popular love and popular confidence, which he had honestly earned, gave him the highest station within the gift of the American people—a station which he is now filling with honor to himself, dignity to his office, and to the highest and best interests of his country.

There is another little matter, of the same character, which I will just mention.

It will be remembered that General Jackson nominated one Ben. Tappan, to the office of district judge of the State of Ohio—as sound a Democrat and as pure a patriot as ever honored the names, and, withal, of the first order of talents, and of the most unexceptionable deportment. This nomination, for party purposes, contracted grovelling selfish considerations, and for the gratification of a vindictiveness which can be found in no party except the sworn enemies of Democracy, was rejected. But what do you think the people have done, sir? They have placed this same Ben. Tappan in the seat of him by whose vote the nomination was rejected, and have consigned him (Ewing) who voted the rejection to perpetual and everlasting “solitude, and the desert wastes of water.” These things may not have been brought about by any providential interposition, but they evidently partake of that kind of retributive justice which is one of the attributes of Providence.

I have said that the gentleman from Mississippi [Mr. PRENTISS] brought forward the alarm of Belshazzar to portray the alarm of the President on hearing of the defeat of the Democracy of New York. I thank the gentleman for the classical allusion. I will try to make something of it for my purpose.

Sir, the conduct of the Federalists in 1837, on the reception of the news of their victories in several of the States, will well bear comparison with that of Sennacherib, and many other tyrants of his time, who were mere scourges in the hand of the Almighty to punish the wickedness and idolatry of mankind. In speaking of the sway of his power and of his conquests he said: “By the strength of my hand I have done it, and by my wisdom, for I am prudent; and I have removed the bounds of the people, and have robbed them of their treasures; and I have put down the inhabitants like a valiant man, and my hand hath found as a nest the riches of the people; and as one gathereth eggs that are left, have I gathered all the earth; and there was none that moved the wing, or opened the mouth, or peeped.”

But this monarch, so august and wise in his own eye, how did he appear in that of the Almighty? Only as a subaltern—a servant sent by his master—the rod of his anger, and the staff in his hand. The Almighty's design was to chastise his children, not to exterminate them; but Sennacherib had it in his heart to destroy and cut off all nations. What, at then, will be the issue of this kind of contest between the designs of the Almighty and those of this prince. At the time he fancied him self already possessed of Jerusalem, the Almighty, with a sin

gle blast, disperses all his proud hopes, destroys in one night a hundred and four-score thousand of his troops—putting a hook in his nose, and a bridle in his lips, (as though he had been a wild beast,) he leads him back to his own dominions, covered with infamy, through the midst of those nations, who, but a little before, had beheld him in all his pride and haughtiness. How was it with the Federalists in 1837, on hearing of their victories? These are the results of our strength; it is done by our own power, for we are mighty. One gentleman [Mr. Cushing of Massachusetts] said, in substance, in the name of the rest of the Federalists, that the Democracy in Maine had fallen before the power of Federalism like grass before the scythe. But what did all this vain boasting amount to? We will see in the end. A Belshazzar feast was held at Faneuil Hall—Daniel, (not the prophet) with all his officers and minions assembled, and, after being harangued by Daniel and other Federal high priests, retired to a place appointed, where the history of the times say there were twelve hundred and three score bottles of Champagne in readiness for the feast; all drank and all "breathed deeper and freer than they had ever done." But, in the midst of their revelling, a handwriting was seen on the wall, and when divined, it disclosed the appalling fact that Missouri had closed her elections, and that the Democracy had gained a triumphant victory over the Federalists. This produced consternation and dismay. But the revellers received that kind of consolation that the queen-mother Nictoris gave her son Belshazzar—that was, that *Missouri was expected to be Democratic*. "Solitary and alone" ruled that State; all expected that the Federalists would be defeated. So they were comforted, and the feast went on. But hardly had they taken the next glass, when a voice thundered at the gates—the Federalists have been routed in Maine horse, foot, and dragons, and more than five thousand left dead on the field. Consternation had not time to subside, when a courier rushed upon them with the intelligence that a battle had been fought in Maryland, and the Federalists had been routed with dreadful slaughter. On the heels of this death-dampening news came on another courier with the news that the Keystone in the arch of the Union had been replaced, and that a pitched battle had been fought between the Federalists and the Democrats of Pennsylvania, and that the former were overthrown, and six or eight thousand slaughtered; close to this intelligence, followed one from Ohio, with the news that a pitched battle had been fought, and the shipplaster Governor had been overthrown, and upwards of fourteen thousand of his Federal troops inhumanly and indiscriminately slaughtered, and his whole Conservative troops cut off; not one man of this self-styled "Spartan band," was left to take the news of the sad disaster to Lacedæmon; close on this disaster followed the news from South Carolina and New Jersey, with the melancholy intelligence of the almost entire overthrow of Federalism in both these States; in the latter, over a thousand Federalists were put to the sword; last, though not least, came a courier from Delaware, bearing the proud banner of Democracy, with the inscription of victory, and the overthrow of Federalism! Federalism was overcome. The knees of the bacchanians, Belshazzar like, smote together. The air sickened; dumbness and horror reigned; the wine cup dropped from the pale and quivering lip; the Euphrates was turned from her channel; the Persian troops marched in dryshod; the walls were demolished, the citadel seized, and the city of Federalism was destroyed, and its citizens put to the sword! How does this prostration compare with the vain boasting of the Federalists one year before, and how very insignificant is the small and temporary Federal victory in New York, when compared with such a succession of triumphs, gained upon principle, and under the broad stripes of the banner of Democracy.

The gentleman from Mississippi, [Mr. PRENTISS,] after attempting to expose what he supposes to be corruptions of this Government, says that they grow out of the maxim and the watchword, that to the victors belong the spoils. The gentleman from Tennessee [Mr. BELL] says that no reformation can be expected while there are so many hungry expectants. There is not a day nor an hour that passes but we hear some taunt about the spoils party, hungry expectants, office holders, the army of office holders, etc. Sir, I think I once before was compelled to notice this hypocritical whining about office holders. Where, I ask again, did we ever hear of a free Government without office holders. What do gentlemen mean when they talk about the army of office holders? Are there more officers than are wanted to manage the Government? Then let them be pointed out and removed. If gentlemen, who are constantly harping about office holders, know of any superfluous ones, they are bound, in duty to themselves and to their country, by the nature of their office, and the oath they have taken to discharge the duties of the office, to point them out, and to take such order as would cause the instant removal of such worthless drones upon the public store-house. Is the number of officers too great? are they derelict in duty? or are their salaries too high? All these evils can be remedied if they exist; and I invite gentlemen, who are expiating so much of the public money by denouncing the office holders, the spoils party, the hungry expectants, etc. to point out the evil specifically, and

recommend the remedy. I will be foremost in carrying that remedy into immediate practice. But, sir, I am inclined to think that constant and incessant yelp about office holders does not grow out of the fact that such evils, as I have represented, exist. It is because the Democracy have the ascendancy, and the Federalists cannot occupy *all* the offices, and all the spoils themselves. This is the cause of all the Federal whimpering about office holders and spoils party.

What is the course of the Federalists when and where they have the ascendancy? So far as my experience goes in my State, the Federalists clear the chess-board of every man who is tainted with Democracy, whenever they have the ascendancy, when it can be done without prejudice to their party. I have been informed that, under the late Federal-Ritter power, almost every Democrat went by the board, who came under the Executive control, even down to the laborers on the public works. I may be in error; if so, some gentleman from Pennsylvania can correct me. I have little doubt but that the Federal reformation system will be carried to the full extent in New York, during the short time the new powers will be permitted to fluter in that State.

But, sir, let us examine this subject with a becoming care. Such has been the constant murmuring about the office holders, and the spoils party, that many of the honest and unsuspecting people of this country not only think that there are ten officers for one that is necessary, and that they are devouring the substance of the people, but that all the officers of this Government belong to the Democratic party. Such was the impression made upon my mind by the continual charge kept up by the Opposition. I have recently taken some pains to examine how that matter stands, and, by information furnished me, which, I think, may be relied upon with tolerable certainty, the Federalists are the spoils party. There may be some errors on both sides of the calculation, but the errors on one side will probably neutralise or off-set the other. Here is a table consisting of two columns, one headed Federalists and the other Democrats; each represent the Departments with the aggregate number of officers of the party to which they belong, and the aggregate amount of salaries paid to the officers and clerks, including the heads of Departments. But, sir, lest I should be misunderstood, it is proper to remark that I have no apology to offer for the office holders. I would rather be a comfortable and easy office holder, than a hungry lean office seeker. I think the former far preferable to the latter.

LAND OFFICE.

Federalists.	Amount.	Democrats.	Amount.
50	\$56,200	48	\$56,950
GENERAL POST OFFICE.			
11	14,600	48	65,980
AUDITOR'S OFFICE.			
25	31,200	30	38,075
TREASURY DEPARTMENT.			
10	12,000	15	19,450
REGISTER'S OFFICE.			
24	27,050	none	
FIRST COMPTROLLER'S OFFICE.			
13	12,250	4	7,500
SECOND COMPTROLLER'S OFFICE.			
9	12,500	2	1,950
FIRST AUDITOR'S OFFICE.			
5	4,500	11	14,400
SECOND AUDITOR'S OFFICE.			
12	15,000	5	5,900
FOURTH AUDITOR'S OFFICE.			
8	9,700	8	10,550
FIFTH AUDITOR'S OFFICE.			
8	11,700	1	1,150
TREASURER'S OFFICE.			
8	11,750	3	3,200
SOLICITOR'S OFFICE.			
3	2,800	2	4,650
STATE DEPARTMENT.			
10	37,800	4	10,385
193	Aggregate, \$269,065	181	\$239,140
	239,140		

In favor Federalists \$29,925

The War, Navy, and Patent Office Departments are not embraced in this estimate. I feel assured that in these Departments there will be found to be a large majority of Federalists with proportionate salaries. I have no doubt but a large proportion of the United States judiciary, officers of the army and navy, and other United States officers, are opposed to the Administration. I have assurances for what I say from those who speak the truth, and understand what they say. As a portion of this information, I ask leave to read a letter and answer which I hold in my hand:

HOUSE OF REPRESENTATIVES, January 16, 1839.

DEAR SIR: If not inconsistent with any rule you may have laid down for your official or political conduct, I would be pleased if you would inform me,

1st, Of the number of postmasters in the United States.

2d. The aggregate amount of salary they receive in the year.

3d. What proportion of them are supporters of the present Administration.

Should it not be in your power to answer this last interrogatory with accuracy, inform me what you suppose to be the probable number.

I am yours, with high respect,

A. DUNCAN.

Hon. A. KENDALL, Postmaster General.

To this communication I received the following answer

WASHINGTON, January 17, 1839.

Sir: I perceive no objection to answering unofficially your letter of the 16th instant. I, therefore, annex replies to your several interrogatories.

1. "What number of postmasters there are in the United States?"

The number of postmasters in the United States, on the first day of December last, was 12,553.

2. "The aggregate amount of salary they receive in the year?"

The compensation of postmasters for the year ending with the 30th June, 1838, varied little from \$921,034.

3. "What proportion of them are supporters and friends of the present Administration?"

I have not information which will enable me to classify the postmasters, politically. Although, in making appointments, friends of the Administration are preferred to enemies, when their politics are known, there are many cases in which the Department has no information on the subject, and it institutes no inquiries into the politics of incumbents. It is believed, however, that more than half the postmasters of the United States are politically opposed to the Administration.

With high respect,

Your obedient servant,

AMOS KENDALL.

Hon. A. DUNCAN.

Sir, who are the spoils party? Who are they who are reveling, rioting and luxuriating upon the toil of the people? Who are the spoils party? Who the army of office holders and the hungry expectants? This table and these communications answer all these questions. Will the Democratic party be again taunted with these epithets? They convey a base falsehood in their application. Will the good sense and moral character of the American people be again insulted with the promulgation of a base slander upon them, and an insidious falsehood upon those whom they have selected to manage their Government? The Administration is denounced daily for removing persons from office "*for opinion's sake*," and there was loud and boisterous complaint, I am told, by the Whigs of New York, because Mr. Van Buren did not re-nominate the base and infamous second-rate Swartwout. He being a Conservative, it was said he was proscribed for "*opinion's sake*." Sir, this table shows that the charge of proscription is as false as it is ungrateful. I look upon General Jackson's and Mr. Van Buren's indulgence, while in office, to their political enemies, as their greatest fault. There is no reason why the enemies to the Democratic party and the Democratic principles should hold a large majority of the offices, and I receive a greater amount of the emoluments of office than the Democracy themselves, whose Administration it is, and to whom the Government belongs. I say I think both General Jackson and Mr. Van Buren have been derelict in duty in this matter, both to their friends and to their country.

I think in this charge I am correct. The table which I have exhibited, shows the facts upon which I made it to be true. I am sustained in the principle by high authority.

"I shall not, while I have the honor to administer the Government, bring a man into office of consequence, knowingly, whose political tenets are adverse to the measures which the General Government is pursuing; for this, in my opinion, would be a sort of political suicide. That it would embarrass its movements is certain.

GEORGE WASHINGTON."

This is high authority; but I have still higher authority for the ground I take, and it is the authority of a majority of the American people. Patriotism guides the Democracy in this country, and in every other, in the exercise of the elective franchise. Our executive and our representative officers are elected upon principle. Motives of patriotism are the ruling principles with the Democracy; they are not blind followers of men; they are unlike their political enemies; they do not carry their patriotism in their pockets, nor does their loyalty consist in blind attachment and slavish devotion to associated wealth.

When, in 1828, General Jackson was elected President, the ticket that elected him had at its head the representation of the hickory broom, with the following words: "*To sweep the Augean stable*." This was significant of a wish on the part of the people to have swept from office those who were opposed to the Democratic principles and institutions of our country, and amounted to instructions to displace from office all whose "political tenets" were adverse to the policy and measures of the Democratic Administration, which that ticket was intended to, and did, establish. I repeat, that the indulgence shown at the expense of principle, and the will of the people,

by General Jackson, to his political enemies, constituted with me the greatest objection to his administration.

True this forbearance flowed from the goodness of his nature. It is not uncommon to see some of our greatest and best men sacrifice the higher and more valuable qualities of the head to the passions and sympathies of the heart. Sir, the Augean stable ought to have been swept, and if the hickory broom was insufficient, the river Alpheus should have been turned from its channel for that purpose. If Federalists are to hold a majority of all the offices in this Government, using, as they do, the means of the Government to advance their own corrupt Federal principles, how are your Democratic institutions to be perpetuated, and your principles maintained. Sir, I believe, with General Washington, that no President ought to bring into office a man who is opposed to the leading measures of his administration. It is political suicide, and for the same reason it is a duty that every Democratic President owes to his election, to his principles, to the party who sustain him, and to his country, to remove those from office whose principles are opposed to the leading measures which he may have been elected to carry out. I think great vigilance in this respect is due from the Chief Magistrate; and if he is sincere in his principles, and deems them of the same importance that the people did when they elected him, it is a part of his duty, and a part of the oath he has taken to faithfully discharge it. Sir, I would like to see clean work in this business; I would like to see the Augean stable swept of all the Federal corruptions which have been accumulating for many years, and which, so long as they are permitted to remain, annoy and impede every leading measure of this, and of every other Administration, calculated to advance the interests of Democracy, the liberty of the people, and to perpetuate the sovereignty of the States.

But, sir, I come now to speak of the charges of corruption, profligacy, panic, and ruin, which have been rung in our ears until our hearing has been wounded and our stomachs nauseated. This howl of panic, ruin, and corruption, has been a standing mean used by the Federalists from the commencement of this Government to this time. It is a howl like that of no beast on the face of the earth but that which makes it. It is the howl of a demagogue, and is used for the purposes of political deception. It varies in its tone. It is sometimes boisterous and terrific; it is sometimes more like the piteous and deceptive cry of the crocodile. It varies with the causes that operate upon the demagogues who make it. Sometimes it proceeds from a robust, political desperado, but more generally from the lean, lingering, lank office seekers; and the time was when this howl had some effect with the people; but their howl of corruption, corruption! has become like the cry of wolf, wolf, wolf! The people know the object, and by whom the howl is made. They give it no attention. The charge of corruption, panic, and profligacy, and its repetition, constituted one-half that was said by the Opposition at the last and the extra session, and cost the people of this Government more than Stephen Girard's estate was worth at his death. These charges against the Administration were considered and investigated by the people, and with a full knowledge of the facts upon which they were founded, and with a discriminating mind, and a sound judgment, which rarely ever errs, when unclouded by falsehood or undecieved by misrepresentation, have expressed a deliberate opinion, through the ballot boxes, that the charges of corruption, profligacy, and panic, are false. They are a base slander upon the Administration, and a libel upon the people, so far as panic is concerned, and made for political effect, to advance Federalism. But, sir, it is time for me to raise the general issue with the gentleman from Mississippi, [Mr. PENNINGTON], and to present such facts as will sustain my plea. The gentleman, in the outset of his long speech, said that there were corruptions and base frauds committed by the officers of this Government, and that the Administration and the heads of Departments were cognisant of them, connived at them, participated in them, and were morally involved in all the guilt and crime connected with them. This was his declaration; and that he would present such an array of facts in support of his charges, that no one dare contradict him, nor deny the charges that he had thus publicly, and from his place, made. Now, sir, I, on behalf of this Administration, join issue with the gentleman, and plead the general issue "not guilty."

I have seen and heard the "array of facts" which the gentleman has brought forward to sustain the charges contained in his declaration, and I heard with patience and attention the gentleman's comments upon his array of facts; and I dare say that the charges are not sustained. I dare say that the Administration, or the heads of Departments thereof, are not "guilty." I admit that abuses have existed, and frauds upon the Government committed by some of its officers. But I dare say the Administration, or the heads of Departments thereof, were not cognizant of them—did not participate in them—did not connive at them, and are not morally involved in the guilt connected with them; all these I dare say that more faithful, economical, and prudent Executive officers, so far as the heads of Departments are concerned, never administered this Government, than those of the present Administration. I dare say two-thirds of all the

public defaulters and fraudulent speculators, from the commencement of the Government to this time, and particularly in this and the last Administrations, were Federalists in principle, as they were scoundrels in practice, and violent opposers of the Democratic principles, party, and administrations.

Further, I dare say that there have been fewer official frauds and defalcations in this and the last Administrations, (and I speak with reference to the length of this Administration,) in proportion to the amount of public revenue collected and disbursed, by more than two hundred per cent. than existed under any preceding Administrations.

Further, I dare say that more than nine-tenths of all the money out of which the Government has been defrauded, originated by the banks and the connection of the Government with them, and with the importing merchants and the credit system—all darlings with the Federalists, and a part of the party and the whole of their policy. Sir, the charge of fraud and corruption is made upon the Administration generally, and particularly upon the Secretary of the Treasury, Mr. Woodbury. These are grave charges against high, distinguished and responsible officers of this Government, and if true, are matters of grave import, in which the whole community have the deepest interest. If those who make them are sincere, and make them in good faith, they are solemnly bound, by the nature of their oath and the duties of their office, to prefer articles of impeachment. But, sir, I dare say further, that that will not be done, although gentlemen say that Mr. Woodbury stands convicted by his own reports; yes, he stands convicted by evidence "out of his own mouth." Yet, sir, on behalf of Mr. Woodbury, and without conference with him, or his consent to throw down the glove, I challenge any member of this House to prefer articles of impeachment against him. Sir, the Opposition could do nothing which would please Mr. Woodbury better. Sir, there is no man in this House that would not recoil at the thought of the indignation of a liberal and an honest community that must rest upon the head of him who would be foolhardy enough to prosecute such an adventure upon an individual whose merits secure him so large a portion of the public confidence and good feeling. And as bantering, daring, and boisterous assertion is the order of the day, and one of the modes of argument in this House, and as I have as good a right to participate in this new mode of discussion as any other member, I repeat the challenge—impeach Secretary Woodbury if you dare. But, sir, I proceed to sustain my plea, and the assertions I have dared to make in defence of this Administration, by facts and matters of record. But, first, let me call the attention of those who hear me, and those who may read me, that the President nominates all receiving, collecting, and disbursing officers; those who are the defaulters were nominated by the President and confirmed by the Senate. Mr. Woodbury has no control over those appointments. If unprincipled men get into office, and the Government is defrauded thereby, it is unjust and unfair to hold the Secretary of the Treasury responsible; responsible for the conduct of officers, not of his appointing, and over whose conduct he has no control, except to detect them after a fraud has been committed, and to recommend their removal from office. Whatever moral or political evil may attach to the appointment of a fraudulent officer, nominated by the President and confirmed by the Senate, neither the President nor the Secretary of the Treasury ought to be held responsible; for, as I said, the Secretary has no absolute control over the appointment, and the President cannot be presumed to be acquainted with the merits, morals, integrity, and qualifications of the hundredth individual who is appointed to office, who may have a portion of the control of the public revenue. He must rely upon the recommendation of those who are acquainted with the applicant, and upon the Senate, who confirm his nominations, and who have fifty times the opportunity to know the qualifications of the nominees that the President has; their body consisting of that number, and their practical acquaintance coextensive with the Union.

The gentleman, to support his broad and unqualified charges of corruption and fraud, relied upon the defalcations of three individuals. Their names, offices, and locations were as follows, viz: Spencer, receiver at Fort Wayne, Harris and Boyd, receivers in Mississippi, and Linn, in Illinois. In order to know the facts about these public officers, I addressed the following note to the Secretary of the Treasury, viz:

HOUSE OF REPRESENTATIVES, Dec. 23, 1838.

DEAR SIR: The President's Message is now under consideration in Committee of the Whole. Much blame is attached by the Opposition to the Administration, and particularly to your Department, (Treasury,) in consequence of some defalcations which appear in some of your official reports. The names of Spencer, receiver at Fort Wayne, Harris and Boyd, receivers in Mississippi, and Linn, in Illinois, are principally relied on.

Will you have the goodness to inform me, by letter, what amount has been eventually lost by these officers? Your early attention to this request will oblige me, as I may find it necessary to make some reply to the unqualified abuse that is now poured forth upon the Administration and the Democratic party.

Very respectfully, A. DUNCAN.

Hon. LEVI WOODBURY, Secretary of the Treasury.

To the above, I received the following in reply:

TREASURY DEPARTMENT, Dec. 31, 1838.

SIR: In answer to your letter of the 28th inst. I would observe, that in the document No. 111, sent to the House of Representatives in January last, Mr. Harris, the receiver in note No. 48, on page 30, is stated to have paid part of his balance, and the remainder to be well secured.

In Mr. Boyd's case, it is understood that the balance is well secured and in the course of collection. Such is presumed to be the balance against Linn, it being in suit, and one of the sureties of the latter being Governor Duncan, of Illinois. He was not in default when reappointed.

These officers were all dismissed, or they resigned, as soon as the balances against them, appearing in the current returns, were not paid over as directed, or satisfactory reasons not given for postponement.

Spencer is not, and never has been, a defaulter on the books, to my knowledge. He once delayed making a deposit, from badness of the roads, but it was made as soon as they became passable.

I am, very respectfully, your obedient servant,
LEVI WOODBURY.

Hon. A. DUNCAN, House of Representatives.

Since the reception of this communication, I have examined the reports of the auditing officers, and find the statement, as here represented, true. It is due to the gentleman from Mississippi to say that this document he read from was calculated to mislead him. It did not contain the answers to the correspondence of the Secretary of the Treasury; nor does it contain the evidence of the final settlement of the Government with these individuals; nor the fact that they were removed when actually found to be in default, or to be wilfully violating any important order of the Treasury Department. So much for the cases of Spencer, Harris, Boyd and Linn, so much relied on to prove the guilt of fraud and corruption.

But I said that this was an economical Administration. Sir, I refer you to the messages of the President and the reports of the Secretary of the Treasury. One of the principal features in each, is a strong recommendation of economy in the expenditures of the Government. What is it, sir, that constitutes extravagance in our Government? It is the appropriation of money for purposes named in the act of appropriation beyond the amount of the Government estimates. The Secretary of the Treasury presents Congress with revenue estimates. Now what does extravagance consist in? Why, in appropriating money beyond the amount of the estimates, and beyond the amount of the income of the Government and her ability to pay. Who makes the appropriations? Why, Congress! Then, sir, when we have large and extravagant Government expenditures, by which the people are oppressively taxed, who is to blame? Congress; and I hesitate not to say, (and I challenge an examination of the journals,) that, nine times in ten, the extravagant appropriations have been brought forward, sustained and carried, by a majority of the Federal members of Congress. Yes, sir, by the very men who cry extravagance loudest.

But, sir, I said that more than two-thirds of the Government defaulters were opposed to the Democratic party, etc. Sir, I hold in my hand a book containing the evidence of what I say—a list of public defaulters from the commencement of the Government until the time it was reported, 1838. It contains the names, I think, of upwards of three thousand public defaulters. I am not acquainted with the politics of them, but I think I risk nothing in saying, that more than two-thirds are, and have been, opposed to the Democratic party. I judge of those I do not know by those I do know. I do not, in general, mean personal acquaintance. I say, as I have done, that defalcations are numerous; they have existed from the commencement of the Government, and they will continue to exist while the Government exists, and while frail man continues to administer it. It is contrary to human nature, and to all human experience, to suppose that this vast political fabric should be managed, in all its various and complicated interests and duties, without abuses; and all that can be done to secure the Government and the people from such abuses and frauds as have been practised, and to provide against subsequent abuses, is to remove the causes that have existed, and to establish such additional checks as will be most likely to secure a faithful and honest administration of the Government in all its parts; at least, so far as human weakness, frailty, and temptation, will permit. I think these will be paramount duties to idle declamation, and that unlimited pouring forth of bitter vituperation, and unqualified abuse, for party purposes and President making.

In relation to the defalcations in financial trusts, the causes seem to have had their origin and existence, in part, in the banking system, and the connection of the Government with the banks. It seems to me this must be conceded by all who have honestly investigated the subject. Why, then, do those who have opposed to this Administration, denounce it in such unqualified terms, as the cause of all the abuses now presented by the official reports of defalcations, as well of this Administration and the defaulters under it, as those which have gone be-

fore it, for which it is neither morally nor politically responsible? Sir, we can retort. I ask, who was it that introduced the banking system into this country in a national sense? Alexander Hamilton. Who was he? One of the leaders of the Federal party. What party is it, and what party has it been, by which it has been kept up? The Federal party. To what party have the principal defaulters belonged? To the Federal party. I say, under what Administrations have the greatest amount of defalcations occurred? Not this, nor the one which preceded it. Sir, I propose now to expose the names of some of those who belong to the party who are now crying corruption, corruption, so loud and so long, in concord with the cry of panic, panic, with which we have been so long grated. And, sir, if I should open the tombs, break down the ramparts of ancient grave yards, and dig, hyena like, into the grave, and disrobe the dead, I hope I will find an ample apology in the paramount law of self-defence. It was not I who began this exposition. Should any man's feelings here or elsewhere be hurt, the blame must not be laid on me, but upon those who have wantonly provoked it.

The first name, then, sir, I will present, is that of one John Adams, once a President of these United States. He, sir, stands upon the records of this Government as a defaulter to the amount of \$12,898. The history of this defalcation is understood to be, that a sum of money was appropriated for furnishing the President's house. President Adams drew the cash in advance. He employed this amount in purchasing a splendid carriage and horses, and other personal accommodations. This the accounting officers could not allow. He refused to reimburse the money. This amount, therefore, remains unsettled to this day, and will until the last day.

Edward Randolph, a defaulter for \$61,155 07, in 1797. Whose Administration did this happen under? In document of the House 111, of last session, the *collectors'* defaults, at the same period, are shown to be, exclusive of interest, half a million of dollars.

Andrew and James Erwin. Document 111 exhibits a defalcation to the modest sum of \$80,000. Who has been benefited by this plunder—any man here to answer? What were the politics of the base populators? Whigs.

[Here Mr. BELL, of Tennessee rose, and said, that the Messrs. Erwins were not defaulters. It was a slander promulgated by the Globe paper.]

Mr. DUNCAN responded, that he did not get his information from the Globe; he obtained it from the records in the archives of the Government; evidence of the highest character, and that which is open to the view of every one who desires to read. I hope, said Mr. D. it is not true. I would prefer to conceal, at all times, human weakness and depravity, rather than expose, where it may be done without public injury; but I would prefer that such depravity as I am now exposing, did not exist. And let me say, once for all, that I know nothing personally of the numerous and wholesale frauds which I am now exposing. I am alike ignorant of the men whom the records show to be the perpetrators. These frauds, with the names of those who committed them, are matters of record, and the facts are spread over the whole country, and known to all who read the journals of Congress, and the reports of the Secretary of the Treasury. Consequently, my exposition can neither affect the reputation of those whose names I expose or the cause of justice.

Mr. King, late collector of Bath, Maine, seems to be a defaulter for the modest sum of \$15,000. Perhaps the gentleman now in my eye, [Mr. EVANS,] can tell us what that gentleman's politics are, and whether he was not the late Whig candidate for Governor of that State; and whether, with all the corruptions of defalcation in which he is involved, he did not receive the entire *Whig* vote of his State.

So we ride, but again:

Joseph Wingate and J. B. Swanton, late collectors at Bath also. I have not before me the amount of their defalcations; but they are defaulters; and the former, since his defalcation, has been a Whig member of Congress, and most lovingly embraced by the whole party. The latter, for his violent abuse of Democratic principles, has been rewarded, by the late Federal Governor of Maine, with a responsible office, the *functions of which require a particular supervision of the finances of the county of Kennebeck*. I ask an examination of the reports. It will be found that the collectors, receivers, and disbursing agents, all, or nearly all, support the views which are now advanced with so much zeal for the entire indemnity of this system of fraud and plunder. Examine No. 191, made to the House of Representatives, February 28, 1838. The loss by banks estimated at about \$6,000,000; their nominal debt was nearly double, but partly secured. This amount is exclusive of interest: with interest, it will be near

\$20,000,000. I refer to the report to the Senate, Feb. 2, 1838, Document No. 158.

The losses prior to General Jackson's administration, by *collectors and receivers*, amount to \$1,200,000; the nominal sum is nearly double, but part of this sum is secured. It is probable nothing will be lost eventually under Gen. Jackson's administration but by *Littlebury Hawkins*, or under the present Administration but by *Swartout and Price*. There will be other defaulters, but their security will be good for their respective amounts.

Reckless, collector at Perth Amboy, has produced some alarm; his defalcation was thirty or fifty dollars. He, so soon as the defalcation was discovered, paid the amount. He was a Democrat. He was misled by his predecessor.

But do we hear any thing from Arnold, the collector of the same place, some years before, under the administration of one John Q. Adams? He is in default for \$90,000, not one farthing of which was recovered; yet we hear no Federal murmuring about that defalcation. He was a modern Whig. This was caused by the neglect of the Administration under which the default occurred, according to the charges now preferred; and it was under the Bank Administration. Why this muteness about Arnold's defalcation? All understood.

The loss on merchants' bonds. This loss amounted to \$7,000,000, without interest. See detail of names and dates in report to Senate, 6th July, 1838, doc. No. 503. There will be found the name of G. W. Bruen, of the firm of Thos Smith and Co. in default for the modest sum of \$800,000. I would like to know whether or not he is a violent and noisy Whig in New York. Perhaps the Whig gentleman now in my eye [Mr. CURTIS] can inform me. And I would inquire of that gentleman, if he did not make the motion in Common Council to dismiss all Democrats in the city from office and public employ, even down to the lamplighters?

Edward Thompson, I think of Philadelphia, whom the records show to be a defaulter to a considerable amount, say the *reasonable* sum of \$700,000, or more. Perhaps some of the Whig gentleman from that city can inform us to his politics. Whig, I presume? Yes, silence gives consent.

All these base frauds and wholesale defalcations occurred under the United States Bank Administration, and before the present Administration. They grew out of the wholesale gambling system established, maintained and managed by the banks. This system the Democracy of this country have always set their face against. Who are responsible for the losses thus sustained but those who, for party and pecuniary motives, sustain and keep up the fraudulent system that gives birth and support to them?

Collecting officers. Report of January 17, 1838, House of Representatives, document 111, shows names of defaulting collecting officers.

Reports of First and Second Comptrollers of the Treasury, documents Nos. 2, 6, 48, and 186, of the House of Representatives, show details of disbursing officers.

In looking through these documents, among many hundred of Whig names I find that of James Monroe, formerly a captain in the army, and is in default \$4,115 44. I have understood that this is one of the Whig members of Congress elect; and I think I have seen him charged with having given \$5,000 towards carrying the New York Whig elections. If so, would it not have been more honorable for him to have paid the debt which he owed the nation?

Robert Brent. The name of this individual stands on record with a defalcation annexed of \$78,541. He was a Paymaster General, (Whig)

Samuel Chinley, late paymaster, defalcation \$109,000, (Whig.)

Amos Binney, late navy agent, defalcation \$70,562, (Whig.)

Joseph Kuhn. Defaulter for \$22,621 55 (Whig.)

Miles King, navy agent, (Whig.) defalcation not known.

But here comes Wm. McMurry, purser, defalcation \$17,991, (Whig.)

Who next? Robert Randolph. Defalcation \$25,097.

These are subjects worthy of investigation. Why not inquire after them? They are Whigs. Their exposition would not assist to elect a Federal President; and such an investigation would expose the banking system. But why not investigate Thomas McKenny's connection with the old Bank of Columbia? how much he owed it, and what did the Government lose? What are his politics? Is he not the editor of a violent, raving, ranting, and bitter Federal-Bank newspaper? Who now cries corruption, corruption, as loud as any man in all Judea?

Bank defalcations. Look, sir, at the millions that have been lost to the Government by the frauds of the banks, since 1817, up to 1838, inclusive—all during the Bank reign.

Bank defaults in 1837. Yes, sir, 60 or 70 in number; all defaulters at one time. Yes, sir, in default for at one time to more than \$20,000,000. This was all right in the banks, though the Government was made bankrupt thereby, the nation's character blighted at home and dishonored abroad. Indulgence was given to them by the President and Secretary, and that indulgence confirmed and continued by Congress. This indulgence was right because given to the banks. Yes, sir, the banks

*An inspection of note 33, in the document referred to by Mr. DUNCAN, shows that the defalcation of Erwin has been the subject of judicial investigation, and that a judgment was obtained against him in October, 1830, for the sum of \$92,635 11. So much for the "slander of the Globe paper." The extreme sensitiveness of Mr. BELL in regard to this case, may be accounted for by the fact that Mr. Erwin is his father-in-law!

Total losses to the Government under each different Administration, by Banks, Collectors, Receivers, Merchants' Bonds for duties, and disbursing officers.

Administrations.	Banks.	Collectors of duties, including auctioneers, Marshals, &c.	Receivers of public lands.	Merchants' bonds for duties.	Disbursing officers, including paymasters, purveyors, &c.	Numbers under each Administration.
Washington 1793 to 1797.	None; few banks in existence.	\$13,000	None in existence or established.	Of these, 5 to 6,000,000 are dated before Gen. Jackson's administration, and nearly 7,000 de-	In the previous administrations all settled and remained in 1829, there yet remain reported on the books, besides various ways, by private acts of Congress, &c. near \$250,000 in amount, and over 40 under General Jackson's administration.	Collectors, 10 or 12 defaulters, but all paid or secured except 3, on very small sums.
John Adams 1797 to 1801.	None.	220,000	None.	Of these, 5 to 6,000,000 are dated before Gen. Jackson's administration, and nearly 7,000 de-	In the previous administrations all settled and remained in 1829, there yet remain reported on the books, besides various ways, by private acts of Congress, &c. near \$250,000 in amount, and over 40 under General Jackson's administration.	Collectors not settled 7, and 3 or 4 more paid, or very small.
T. Jefferson 1801 to 1809	None.	200,000	Few in existence.	Of these, 5 to 6,000,000 are dated before Gen. Jackson's administration, and nearly 7,000 de-	In the previous administrations all settled and remained in 1829, there yet remain reported on the books, besides various ways, by private acts of Congress, &c. near \$250,000 in amount, and over 40 under General Jackson's administration.	Collectors, 19 failed, besides small sums from others duly some paid or secured.
J. Madison 1809 to 1817.	\$5,000,000 deposited, paper taken.	210,000	33,000	Of these, 5 to 6,000,000 are dated before Gen. Jackson's administration, and nearly 7,000 de-	In the previous administrations all settled and remained in 1829, there yet remain reported on the books, besides various ways, by private acts of Congress, &c. near \$250,000 in amount, and over 40 under General Jackson's administration.	No bank defaulters, except by a suspension of specie payments in 1814; 15, and 116 Collectors 14, failed, and part secured. One receiver in default, only a few in existence.
J. Monroe 1817 to 1825.	\$800,000	230,000	110,000	Of these, 5 to 6,000,000 are dated before Gen. Jackson's administration, and nearly 7,000 de-	In the previous administrations all settled and remained in 1829, there yet remain reported on the books, besides various ways, by private acts of Congress, &c. near \$250,000 in amount, and over 40 under General Jackson's administration.	About 30 of the banks in debt in 1838, but over 100 failed in 1817 and after. Collectors 14, some in default, part secured. Ten receivers.
J. Q. Adams 1825 to 1829.	270,000	65,000	60,000	Of these, 5 to 6,000,000 are dated before Gen. Jackson's administration, and nearly 7,000 de-	In the previous administrations all settled and remained in 1829, there yet remain reported on the books, besides various ways, by private acts of Congress, &c. near \$250,000 in amount, and over 40 under General Jackson's administration.	Five banks, three collectors failed, eight receivers.
A. Jackson 1829 to 1837.	42,000	60,000	200,000	\$500,000 (failing due.	\$100,000	Five banks, collectors 14, except some small, and paid; many were then secured. 17 receivers, but many secured.
Aggregate	\$6,112,000	\$1,028,000	\$403,000	\$6,700,000	\$1,200,000	Number of merchants' bonds and disbursing officers, see notes.

NOTE. Actual losses from all of the above sources, \$18,493,000.

can defraud and bankrupt the Government, *Whig* collectors, *Whig* receivers, and *Whig* disbursers, can rob the Government of any amount, and *Whig* muteness and silence reigns, more especially if that robbery be perpetrated under a Federal Administration. Beside the indulgence and time given before to the banks, as deposit agents from May to October, 1837, for \$30,000,000 at first, and then for 5 or \$6,000,000, the Treasury Department gave time and indulgence to numerous merchants, on duty bonds, during the same period, for near five millions more, though all were in default to the Government. This was in the exercise of a sound and legal discretion, and proved in the end beneficial to the United States. I say Congress sanctioned this in September, 1837, and extended the indulgence still longer. Both of these happened after real, ascertained defaults, and were not previously, like the short time taken by the Department and the President, exercising the same legal and sound discretion in the case of some receivers, to inquire if a real default had occurred, and if the money would not, without suit, be deposited as ordered. Yet the hue and cry is, that the last is impeachable, but the first is right!!!

And because Mr. Woodbury, Draco or Nero like, will not take a Democrat by the throat and strangle him the moment he is under the least suspicion of official defalcation, let his means to satisfy the Government be what they may, the cry of corruption must be rung upon every change, and the whole Administration denounced as basely fraudulent, and as conniving at public peculation. All indulgencies that have been given to defaulters, has been with a view to put it in the power of the defaulter to liquidate the amount for which he may have been in default; and so far as the present Administration, and that which preceded it, is concerned, the result of such a course of policy (where the particular case would admit of such indulgence) has been of advantage to the Government; and in all cases of default, so soon as it was discovered that delay or indulgence were either dangerous, or did not promise an advantage, the individual have been removed; so has the defaulter, under all circumstances, been eventually removed. I believe I am warranted in saying that the Government has sustained no loss by either neglect or indulgence to defaulters by the Treasury Department, or any officer thereof, but, on the contrary, has been benefited by indulgence. Sir, it is a curious fact, that out of one hundred and fourteen collectors in nominal defalcation—(nominal, I say, for many of the defalcations that appear are not so, the settlement being subsequent to the publication of the defalcations)—near one hundred of them were before General Jackson's administration. So out of the whole number of disbursing officers, more than two thousand were under former administrations.

The losses alone, by two merchants, Smith and Thompson, were more than by all the collectors and receivers, except what may be lost by Swartwout.

Swartwout had his appointment as collector of the port of New York in 1829, by General Jackson. This was one of the political errors of his life, and perhaps it has rarely fallen to the lot of man to commit fewer. It is due to Mr. Van Buren, and proper to say in this place, that he was opposed to the appointment of Swartwout, but more of this hereafter. During this discussion, hozaanahs have been sung as usual to the Bank of the United States. It collected the public revenue. It kept safe the public revenue. And it disbursed the public revenue, said one gentleman, (I believe Mr. Wise of Virginia,) and not one dollar was lost while it had the management of affairs. There are some mistakes in this eulogy upon the Bank. The Bank never collected one dollar of the public revenue. The Bank never disbursed one dollar of the public revenue, nor did the Bank keep safe all of that that was deposited with it. Swartwout received his appointment during the existence of the United States Bank; and it may be fairly said, that it was through and by the Bank policy and the credit system, that the Government has been defrauded out of the amount of Swartwout's defalcation.

Sir, I have said that the Government has lost more, by ten times, by banks, and its connection with them, and by merchants' bonds or the credit system, which is of the Bank or *Whig* policy, than by all the individual collecting, receiving, and disbursing officers that have existed since the commencement of the Government. I also stated that there were fewer losses sustained by public defaulters during the administration of General Jackson and this Administration, so far as it had progressed, by more than one-half, than the average losses of all the other administrations which preceded them, although the collections and disbursements were more than double, and that the heaviest losses sustained to each administration were by the banks and the merchants, even in these administrations. I have made the following table. It is taken from the records and reports of the Treasury Department, and when, and where ever examined, I think will be found to be correct. Here it is. It shows the aggregate amount of defalcation in each administration, at the same time showing the amount lost by the banks, private officers, and merchants, each in separate columns, and the aggregate amount of the whole:

The bank nominal losses were much greater than the above sums under Monroe's and J. Q. Adams's administrations by defective banks that failed, and by others that failed, whose bills the officers of Government had on hand depreciated. But all have been since paid, except the above balances.

All the losses by banks under Mr. Madison's administration were by taking depreciated paper, and they are estimated low from that cause, at \$5,000,000.

Most, if not all these bank failures happened while the United States Bank was in operation. The above does not include losses by the United States Bank itself, by not paying full dividends several years, and by seizing on others for damages. Out of one hundred and fourteen collectors, only eighty are indebted to any considerable amount, and the other thirty have paid, or secured, or the sums are very small. But as a balance stood unsettled, it must be reported by the public officers. Of sixty to seventy receivers, against whom balances exist, near half of the offices have been established in the last ten years, and twenty to thirty of these defaults are small debts, or secured, or paid. Of the \$200,000 estimated as a loss from 1823 to 1837, it is after deducting all but one or two cases of any magnitude. The rest will probably be in the end collected, and not leave over that sum if so much lost. More money actually has been collected in one of the years under Gen. Jackson, from sales of lands, than in any 8 or 10 years of any of his predecessors. Hence the ratio or proportion of losses is small under him. Whole number and amount of merchants' bonds for duties, unpaid when due and probably lost, is eight thousand in number, and near \$6,500,000 in amount; and of these, \$6,000,000 were not under Gen. Jackson's administration, except those falling due about the time of the suspension of specie payments. So of the number of disbursing officers in default, at least 2,300 were before 1829, and only about 40 between that and 1837; and of the whole amount, \$4,250,000, all was earlier except about \$100,000. The aggregate of the losses since 1793, is supposed to be, after every fair allowance, over \$13,000,000. Yet, under Gen. Jackson's administration, though lasting eight years instead of four, and attended with greater collections of revenue, and especially much greater from lands than any others, the whole losses were only \$900,000, instead of three millions, the average proportion to each eight years. They were less than one-third of the losses under other Administrations, on an average.

Many of these immense losses since 1793, as well as several others in 1820, in the sale of the public lands on credit, are to be attributed to the ill regulated credit system for duties and lands, and to the facilities and temptations to speculation and losses by indiscreet bank credits. All happened under the United States Bank and pet bank systems!!

I trust, sir, I have shown that this Administration are governed by no other principles than those of economy. That they have no other interest at heart but that of their country, is manifest to all who have impartially examined their progress. I trust that I have shown that the three cases of official defalcation chiefly relied on to prove corruption on the part of the Administration, have nothing in them to warrant such a charge. I think, by the table which I have exhibited, I have shown, conclusively, first, that less money has been lost by defalcations of any and every kind, during the Administrations of General Jackson, and of Mr. Van Buren, so far as it has progressed, in proportion to the amount of money collected and disbursed, than under any administration which preceded them. I think I have shown that ten times as much money has been lost to the Government by banks, merchants and the credit system, as has been lost by all the collectors, receivers and disbursers (the Swartwout case excepted) that the Government has ever employed; and if I have not shown that the Government must continue to lose while it is connected with this swindling and gambling system, (I mean the Federal Bank policy,) it is because it must be so well understood that it is unnecessary.

Sir, every effort is now being made to saddle upon this Administration the defalcation of Swartwout, for party effect; but it cannot be done. Swartwout had his appointment under another Administration. The greater part of his frauds were committed before this Administration came into existence; and those that were committed after, were effected in consequence of a policy which was adopted before this Administration—a policy which made it almost impossible for the Treasury Department either to prevent them, or detect them after they were committed, until Swartwout had fled; and the policy in this case was the Bank policy, and the connection of the Government with it.

Sir, if ever candor is proper and becoming in any situation—if it constitutes a human virtue, and ought to be associated with any transaction of human life, it ought to be with the duties of legislation. An honest and an unsuspecting community ought to be represented in an honest and unsuspecting manner. The people have a deeper interest, if possible, in having their honesty and morality fairly represented than even their political or civil rights. How degrading is it to the character of the representative in any capacity, and more especially in that of an American Congressman, to play the part of a pettifogger, or seventh-rate county court lawyer—degrading himself and the

dignified station he occupies by practising little trickery for mean, selfish party purposes.

Sir, I speak with reference to attempts made too frequently on this floor to bring the Administration into discredit, by promulgating and magnifying every trifling error supposed to exist in the management of the Government, and suppressing every virtue and every quality of the Administration, entailing it to the confidence of the people. I think I once before, on this floor, remarked that it is as base and criminal to withhold the truth, when it may be due to reputation, as to promulgate that which is false for the purposes of detraction or slander. Can any candid man fail to perceive, or will any just man fail to deprecate, the practice which has been pursued in this debate of picking out particular cases and reports, or passages from them, and putting them together, so as to produce an impression as to facts, and as to the conduct of public officers, totally different from that which results from a fair and entire view. My colleague (Mr. BOND) deliberately accuses the President and the Secretary of the Treasury, together with the Solicitor, Comptroller and First Auditor, of a combined and studied effort to deceive the people relative to the existing provisions that authorize or direct the periodical inspection of the books and accounts of public officers; and he winds up by a deliberate assertion that the documents sent to the House are, on this point, untrue.

Not content with thus making use of a palpable perversion of the reports of the Solicitor and Comptroller, to found this charge of falsehood against the President and the officers of the Treasury Department, he takes occasion, by the same means, to magnify his own sagacity and industry, parades before this House, as something wonderfully novel, one of the best known sections of the general collection act of 1793. Perhaps the very law which is more frequently referred to, and is more familiar than any other in the statute book, and quotes, as a discovery due to his own remarkable acuteness, the very portion of that law under which the public officers, whom he accuses of being ignorant of its provisions were, at the time, notoriously acting.

The Secretary of the Treasury had directed the Solicitor and Comptroller, after ascertaining the facts of Swartwout's defalcation, to suggest such changes in the existing laws as they might deem advisable. It is their report from which my colleague makes his selections. Those officers are not inspectors of the custom-house proceedings and books, as directed by law; and that an express provision, requiring this to be done from time to time, by a competent officer, from the Treasury Department, is an obvious and important measure of precaution and safety.

This suggestion my colleague construes into a "combined and studied effort" to create a false impression as to the existing laws, and says that these documents are so far from truth, that he is able to read an express clause from the statute book, which has for more than forty years provided for the very inspection "that is now recommended as a grave and salutary remedy." And how does he do this? How does he fulfil his boasted promise? How are the President and the officers of the Treasury convicted of falsehood, or gross ignorance? How is the searching sagacity of the member himself established? Why, forsooth, all this promised prostration of the President, Secretary, Solicitor, Comptroller, Auditor, and the whole Government, which thunders so loudly in the index, all this self-glorification of my colleague, and the astounding proof of his ability to perform these "searching operations," (to use his favorite phrase,) turns out to be nothing more than reading to this House a well known section of the old collection law, which provides that collectors and other officers shall keep true accounts, submit them to inspection when required, and forfeit \$1,000 in every case where they refuse so to do. Does this prove what my colleague wishes us to believe it does? Does it prove that regular inspections of the books and proceedings of the custom-house, by a competent officer of the Treasury Department, are now directed by law? As well might you say that the penalty imposed upon a smuggler made it unnecessary to direct by law the appointment of a single inspector or tide-waiter that there was no need of a marshal or officer of police, because the statute declares that a counterfeiter or a thief shall be put in the penitentiary. The provision in question was well known, but it is an inadequate provision. Did any one doubt or deny that the Secretary of the Treasury might send a person to any custom-house, specially to examine its proceedings? Is there a word in the report of the Secretary, or in any of those documents that expresses such a doubt? Were not the Solicitor and Comptroller so sent under this very provision, in this very instance? Yet my colleague attempts to create this impression, an impression the very reverse of what is justly and fairly to be deduced from the documents themselves. The provision in the old collection law is inadequate, totally inadequate. It is permissive, not directory. It was meant to provide for special cases, not to form part of a general system. "The new and salutary remedy" which my colleague ridicules, is not found in it, either directly or by inference. That remedy is to direct, by positive law, periodical inspections, by competent officers. If that is already done, let the place in the statute book be pointed out. If it is not, let us have no asser-

tions to the contrary, and no gross accusations, the support of which is attempted by stringing together disjointed sentences, and putting false constructions upon the official statements of honorable, high-minded and competent men.

Sir, I ask your attention while I give a brief expose of the policy, and the result of that policy, by which Swartwout was enabled to commit the frauds which he did, and the embarrassments under which the Secretary of the Treasury labored in detecting him.

1. I believe the merchants' bonds were deposited in the deposite banks in New York; so was the amount of those bonds, when collected, to the credit of the Treasurer of the United States. Swartwout made up his account weekly with the bank, on Saturday, at 10 o'clock. No account was ever exhibited of moneys received by him for duties between Saturday 10 o'clock, and Monday morning. All moneys received after 10 o'clock on Saturday morning, and before 10 o'clock Monday morning, were not deposited; or, if they were, they were deposited in his name, and to his individual credit, and drawn upon his individual check. This was the mean by which a portion of the defalcation was effected, and unquestionably grew out of the connection of the Treasury with the banks. It is easy to perceive that this fraud could go on some time without detection. I believe near \$300,000 of the fraud occurred in this way.

2. Owing to the peculiar manner in which certain funds came into the hands of the collector at New York, (and perhaps other ports,) and to the right which he had to retain a portion of those funds in his hands, they were kept out of sight, and indeed out of the knowledge of the Treasury Department. This occurs in this way. When an importing merchant receives from his vessel a cargo of goods, upon which the duties have to be paid in cash, in advance, the duty on which may be known, that is, the class of goods and the amount of duty on that particular class may be known; but it may take some time to calculate and make up the amount of duty that may be due on the whole. The merchant, desirous to have the use of his goods, agrees with the collector to pay what the duties, when made up, will probably amount to. The collector, in this case, generally receives a sum amounting to more than the duties when made up. In this he is justifiable, as he is bound to look to the security and interest of the Government. He retains in his hands what he supposes may be the overplus between what he has received and what may really be found to be due when the account is made up. Transactions of this character are of every day's occurrence. The sum thus retained is not reported (or may not be, and was not in Swartwout's case) to the Treasury, but was kept (as pretended) for the purpose of paying back to the merchant what was due him. This surplus—if it may be so called—in Swartwout's case, has constituted, at all times, a large standing fund, a part of which, it is easy to perceive, might be abstracted without the knowledge of any person but the collector himself; without the knowledge of the Secretary of the Treasury, or any officer of his immediate Department. This fund, I believe, is called "cash deposited to meet unascertained duties." From this fund Swartwout abstracted about \$150,000.

3. "Duties paid under protests." This constitutes a fund which puts it in the power of the collector to defraud the Government out of almost any sum. It is as follows: An importing merchant has received a cargo of goods (on which cash is payable on demand) of a particular class, and, consequently, the subjects of higher duties; so supposes the collector. The merchant contends that his goods are not of such a class; the collector contends they are, and demands the duty due on such goods. The merchant, in order to avail himself of the use and practical benefit of his goods, pays the collector the amount he demands, but, at the same time, enters his protest, and commences suit for what he supposes he has overpaid. The collector, not knowing what the result of the suit may be, and not knowing whether or not he would recover the amount in controversy from the Government, should he pay it over to the credit of the Treasurer of the United States, retains it in his hands for his own safety—and I believe the United States District Court has decided that he has a right so to do, until a legal decision is had. Should he pay the money in protest over to the Government on its reception, and the suit should terminate in favor of the merchant, it has been doubted if he could get relief in any other way than through Congress—a slow method, and somewhat uncertain—before which an execution might sweep from under him his whole property. From this fund it is supposed that Swartwout abstracted about \$150,000 or \$200,000, which he had it in his power to do without the knowledge of the Treasury Department, or the means of detection.

4. When the banks suspended payment, there were in number, of merchants' bonds, ten thousand due for duties, and the amount due on these was upwards of five millions of dollars. The bonds were withdrawn from the banks, and an extension given by the Secretary of the Treasury, in consequence of the pecuniary embarrassments consequent upon the suspension by the banks. At the extra session, Congress gave an additional extension of nine months, as well upon those bonds on which suit had been commenced as those on which it had not. The

withdrawal of the bonds from the banks, the extension of credit given on them, the vast amount due, and the great number of bonds thrown into the collector's office, gave a new direction, and threw all the business in such confusion, that it seems, by the letter of Mr. Fleming impossible to know, for a time, in what situation the bonds and the business of the office were; and if the officers themselves of the custom-house could not tell in what situation things were, relating to the duties and bonds, how was it possible for the Treasury Department to know any thing about it, or to know so much as to enable it to detect the frauds which Swartwout was then daily and hourly committing? The act of the withdrawal of the bonds, and their extension, and the confusion thereupon, not only put it in the power of Swartwout to commit frauds, but obstructed the channels through which the information would have flown to the Secretary, of the fact of frauds being committed, and consequently of the power of detecting them.

5. The collector is bound to render quarterly accounts to the Treasury, but he has three months, after the expiration of each quarter, to make up his accounts, and three months after the expiration of his term of office before he can be considered published or prosecuted as a public defaulter. Let us see to what extent this legal privilege may have operated to the fraudulent purposes of Swartwout, and to the embarrassment of the Secretary of the Treasury to detect his frauds. The banks suspended payment on May 11th, 1837. Swartwout's time expired on the 28th of March, 1838. Then it is found that he had the advantage of the possession of the bonds to the amount of \$5,000,000. The advantage of the extension given, (advantage, because the Secretary of the Treasury was thereby prevented from detecting him,) and all the confusion and embarrassment thereupon. I say he had the advantage of all these for upwards of ten months next from the 28th of March. He had three months before he could be called to a settlement, at the expiration of which time he was called upon for a settlement by the First Auditor of the Treasury; but no settlement was obtained. Immediately notice was given to his bondsmen, about which time Swartwout sailed for England, having abstracted of the public money, upwards of five or six hundred thousand dollars, by these last advantages which the law afforded him. Three months to make up his accounts, the suspension of specie payments by the banks, and the confusion and embarrassment produced by that, and the withdrawal of the bonds, and the actual possession of the bonds gave him. Now, sir, I ask, what vigilance, other than that which has never been thought of since the beginning of this Government, could have been practised by the Secretary of the Treasury, to have detected Swartwout's frauds, or to have saved the Government from those which were practised by the advantages which the policy of the Government and the laws gave the collector, and over which the Secretary had no control? Sir, to ensure the Secretary of the Treasury for a *laches* in Swartwout's frauds, is to ensure him for the want of a vigilance which no one ever dreamed of to this time. To ensure him for a neglect of duty in this case, is doing him the base injustice of censuring him for the neglect of that which the law, and the policy of this Government, and frauds of the banks, with which his Treasury has been connected, put it out of his power to perform. So soon as the time arrived for the Secretary to act, every vigilance was used to bring Swartwout to settlement; and after he had absconded, every vigilance was used, and is using, to detect the extent of his frauds, and to secure the Government. Sir, to charge the Secretary with conniving at Swartwout's frauds, or any other defaulter's frauds, or even with culpable neglect of official vigilance, is charging him with that of which he is not guilty. It is charging him with that which his high character as an honorable man, his vigilance and capacity as a public officer, and his reputation as a patriot and friend to his country, ought to exempt him. And further, I look upon such charges as a slander from which the laws of our country ought to protect him, as well in his individual as in his official character. Sir, this war upon the Secretary of the Treasury is but one of the thousand means used to break down the Administration. All that can be made out of the Swartwout defalcation, will be used to the greatest possible extent, to prostrate the Administration, and to blight the popular confidence in it.

It seems, it and other defalcations are to be used as a two-edged sword, that is, to destroy the confidence of the people in the Administration, by the cry of corruption and fraud, and to bankrupt the Treasury for the same purpose, by extravagance and profligacy in printing tons of worthless, and worse than useless documents, relating to those defalcations. Sir, in character with this effort we saw a resolution introduced the other day, and carried, authorizing and requiring the printing of 20,000 copies of a document purporting to be a report of defalcations and defaulters, with the correspondence of the Secretary of the Treasury with the supposed defaulters. Sir, I have stated before that this document purports to be what it is not. It contains the correspondence of the Secretary of the Treasury, but it does not contain many of the answers and final settlements of and with those that are represented to be defaulters. Many persons, living and dead, are represented in that docu-

ment to be defaulters, who do not owe the Government a dollar and some of them, I am told, have just, but unsettled, claim against the Government. Sir, to publish it to the extent of the resolution, was promulgating, in many instances, a falsehood upon thieving and slanders upon the memory of the dead.

But, sir, I have another objection to printing this document. It will involve a criminal profligacy in expenditure of fifteen or twenty thousand dollars, which can answer no other purpose than to put so much money into the pocket of the printer. It will, sir, be putting so much money into the hands of those whom I consider more worthless, if possible, than the purpose for which the expenditure would be made. I mean the mortgagor and pliant vassal of the Bank, the editor of the National Intelligencer, and his catspaw and tool, the editor of the Madisonian, *the Conservative!*

But, sir, these profligate expenditures and worthless appropriations, can go on so far as resolutions of this House can authorize them. There is no check here. The Democracy are in the minority. The united strength of the Whigs and Conservatives make a majority. They differ in name, but not in principle. Conservatism is but another name for Whiggery, and both, but other names for Federalism. They are like man and wife. They are joined in the holy bands of political wedlock. They are flesh of one flesh, blood of one blood, and bone of one bone. They will live together until separated by death. Those whom the banks have joined together, let no man put asunder.

These evils are with the people. They can remedy them; all I can do is to protest against them, which I will do while I have a tongue to speak and a hand to write.

Each of these reasons constituted a sufficient objection with me for voting against the resolution to print that document, and I repeat, that I look upon such efforts to squander the public treasure, and to bankrupt the nation, as done with a view to break down the Administration, and destroy the Democratic party.

But, sir, what could induce the Secretary to connive at the frauds of Swartwout? He was no friend to the Administration or to the Democracy. He was a Conservative in theory and practice; and, consequently, like all other Conservatives, opposed to both. I repeat, what ground is there to suppose that the Secretary of the Treasury, or any other individual of the Democracy concerned in the administration of the Government,

would connive at the frauds of Swartwout, or any other Conservative. Why, sir, above all isms on the face of the earth, Conservatism is the last and tail end ism. Yes, sir, in the estimation of this Administration, Conservatism is sunk deeper in base iniquity, foul corruption, and black hypocrisy, than even modern Whiggery itself.

But, in addition to this, Swartwout was conceived in sin, brought forth in iniquity, and reared in fraud. His father was base defaulter in Mr. Monroe's administration.

It may be asked, why General Jackson would nominate such a man, with such native suspicions surrounding him? I answer, why did a Whig Senate confirm the nomination of a man who had such native suspicions surrounding him? Why, also, did the whole Whig mercantile interest of New York city unite in recommending a man who had such native suspicions surrounding him? We could retort. We might assert; that there must have been a conspiracy to defraud the Government between Swartwout and the Whig merchants of New York; and we might embrace some Whig Senators in the conspiracy. All this we might do, and make out as strong a case of conspiracy as the Opposition can make of "connivance." But, sir, we are incapable of making such a charge, as the New York merchants and Whig Senators are incapable of entering into such a conspiracy.

Mr. Speaker, I hope the leading measures recommended in the President's Message will be carried out. I look upon them all as of vast importance to the interests of the country, but more particularly that which relates to the collection, safe-keeping, and faithful disbursement of the public revenue. It seems to me that the highest interests of the country require that that policy should be the policy of the country—I mean the establishment of an Independent Treasury. Justice to the laboring taxpayer requires it. Every interest, whether commercial, mercantile, manufacturing agricultural, or mechanical, and all other institutions, which have an interest in a sound currency, and the faithful performance of public and private contracts, require it. But above all, the financial interest involved in the management of this Government, imperiously demand it; for so long as the present system of the connection of the Government with the banks continues, the Government and the honest laborer must continue to be the prey of the lounging loafer, the stockjobbing gambler, and the official peculator.

NOTE BENE.—After Mr. DUNCAN had finished the above remarks, Mr. PETRIKIN moved 'the previous question.' Mr. STANLY begged of Mr. PETRIKIN that he would withdraw for a moment the motion for the previous question, until he (Mr. S.) could make a remark or two. Mr. PETRIKIN consented, on condition that Mr. S. would renew the motion; to which Mr. S. consented. Mr. STANLY proceeded, and in the commencement of his remarks insinuated that Mr. DUNCAN was an Abolitionist, and referred to a letter which he had seen and read in the public prints, purporting to be an answer to some interrogatories put to him, [Mr. D.] prior to his re-election, by the Abolitionists. Mr. DUNCAN asked to explain. Mr. STANLY gave way. Mr. DUNCAN said, that a few days before the late election in Ohio, a number of the members of the Anti-slavery Society in his district propounded sundry questions to him, in writing, on the subject of the abolition of slavery in the District of Columbia, &c. These questions he had promptly answered; and, in his answers, deprecated slavery in the abstract. He also had deprecated modern Abolitionism as mistaken philanthropy, disorganizing in its tendencies, and, in

its character, dangerous to the Union. Mr. D. said, that part of his letter in which he deprecates slavery in the abstract had been published in many of the Federal sheets, and had been most basely, unjustly and ungenerously commented upon to his prejudice and with a view to identify him with Abolitionism; whilst that part of the letter which deprecates modern Abolitionism had been carefully kept out of sight. Mr. D. said such base conduct was worthy of the persons who would be guilty of it, and of the party who would sustain them in it. Mr. DUNCAN was proceeding briefly to expose the views he entertained in relation to slavery in the abstract, of modern Abolitionism, and of the right of petition, etc. when Mr. STANLY interrupted him, and said that he did not yield the floor to hear a speech; it was to hear an explanation. Mr. DUNCAN said he would yield the floor, but as the previous question was pending, and as he would have no opportunity to reply, he must first pronounce the insinuation that he was an Abolitionist, a base falsehood and a foul detraction, whether it dwelt upon the lips of the unprincipled calumniator, or floated on the breeze in the corrupt, poisonous, and slanderous Federal sheets of the day.

SPEECH

OF THE

HON. R. H. MENEFEE, OF KENTUCKY,

IN REPLY TO MR. THOMAS, OF MARYLAND,

ON THE

LATE DEFALCATIONS IN THE EXECUTIVE DEPARTMENT.

Delivered in the House of Representatives U. S., January 9, 1839.

Mr. MENEFEE said that he had intended to say not one word in this debate. He had very decided, and, he trusted, well-considered opinions upon these defalcations, but he had preferred to reserve the expression of them for a future occasion. It was true that scarcely any occasion could be more important than the present; but *time*, also, was now become highly important, and he was averse to consume any portion of it by any thing he could say. The proposed investigation was very comprehensive in its range; the session would shortly expire, and, with it, the present Congress. The House, if it meant to act at all, should act at once.

Sir, (said he,) my sole object in rising was to make an observation or two upon what has just fallen, with such oracular solemnity, from a distinguished gentleman from Maryland, [Mr. THOMAS.] That gentleman occupies, Mr. Speaker, by your favor and otherwise, a high and conspicuous position in the House: having the benefit of the *presumption* of being the ablest jurist in the House.* That position itself is calculated to impart much weight and authority to whatsoever he may here say or do. Yet, sir, not content with the employment of his talents, (the respectability of which I do not contest,) from the commanding ground on which he stands, the gentleman invariably sees fit, in every debate, on all occasions, without discrimination, to invoke to his aid instruments of influence and authority of quite a different description, and of more irresistible potency. He has a standing exordium for all subjects, from a question of peace or war to a motion to adjourn. Never does he open lips in the House, without upturned eyes, and hands on breast demurely crossed, to protest, in the sight of high Heaven, that, though the demons of party and faction and violence hold their horrid revels in the breasts of others, *he is the pink of ingenuousness and the predestinated elect of disinterested patriotism, utterly exempt from every mortal infirmity!*—sanctimoniously devout “*that he is not as other men!*”

My education and principles, sir, inspire me with an habitual and sincere reverence for the sacred character. I am, therefore, *overawed* by the gentleman from Maryland, when he presents himself bedecked with all its dread attributes, to display in debate all its high functions. It is, in some sense, *an abridgment of the freedom of speech*, thus to force us who are “in the flesh” to concur in opinion with all that is said, and implicitly co-operate in all that is done, by the gentleman from Maryland, under the awful peril of confronting, if we do not, the self-arrogated ambassador of Heaven! The

* He is chairman of the Committee on the Judiciary.

intensity of the gentleman's perfections is, therefore, actually *unconstitutional*. My only expedient, then, is, to act the infidel in regard to the *superhumanity* of the gentleman from Maryland; and, judging by rules applicable to mortals, to pronounce, as I do, the opinion that his whole career as a politician, in every part of it, furnishes irresistible proofs that the gentleman is *under a total mistake with respect to the qualities which most distinctly characterize him*. Of these qualities I do not speak; but, sir, I will say that the gentleman from Maryland, notwithstanding the angelic habiliments in which he has chosen to array himself, is most eminently human. Thus ranking him, I proceed to examine his *speech*—not his *revelation*, sir. 1a

In doing this, sir, I shall abstain as far as possible from a discussion of topics of a more general nature which have been introduced by gentlemen on both sides; and, particularly, by the gentleman from Maryland. My business shall be with the question immediately before the House; which is, "Shall *the Speaker* be permitted to appoint the proposed committee, or shall *the House* itself appoint it?" This question involves the essence of the whole proceeding; for every thing depends on the complexion of the committee. *The Executive*, through its organs, claims a preponderance in the committee, with a view to control and direct its operations; and, therefore, distrustful of the House, insists on an appointment by the Speaker. This is resisted, and all executive interference denounced.

This question, I think, sir, admits of easy solution, by recurring to *the nature of the proceeding* in which the House is engaged. What is it? Stupendous abuses of Government have occurred. The House of Representatives, possessing the high prerogative of supervising, in some degree, the whole machinery of Government, and animadverting upon its irregularities, proposes to exert that prerogative in reference to these abuses. It is, emphatically, a proceeding *by the House*, in its cognizance over maladministration. The attitude of the House towards the Executive, in a measure of this nature, though perhaps not exactly hostile, is certainly not the opposite. This measure assumes that there is enormous wrong *somewhere* in the Government, into which it is one of the highest duties of the House to look. Its extraordinary authority, then, being thus awakened, is it not natural that this House should darken with a patriotic frown? And when, by the acknowledgment of the President, that wrong exists in the executive department, is it not natural that this frown should be turned upon the Executive? and that it should not relax, if at all, until thorough examination should be made by the House itself? the *presumption*, at least, being against the administration?

Indeed, sir, the gentleman from Maryland distinctly confesses that *the administration is responsible* for the defalcation; and sounds, as will be seen, his whole argument on that confession.

[Mr. THOMAS here intimated that he *meant* to say that *the opposition held* the administration responsible for the defalcations.]

Sir, I have but one mode of reaching the meaning of gentlemen in debate; which is through their language. Of *occult meaning* I know nothing. The gentleman did *say*, and twice repeat, that *the administration was responsible*; and argued from thence that it was but just to the administration that it should be allowed the choice of *its own* modes and instruments of proceeding; treating the action which the House proposed taking on this subject as simply *a means to enable the Executive* to ascertain whither those vast sums of money had gone, and, if practicable, to recover them; coupling with his

argument a pointed insinuation, if not a positive charge, against the merchants of New York, and certain banking institutions in that quarter, of criminal participation in the defalcations.

[Mr. THOMAS again insisted that he did not *mean* to say that the administration was responsible, or that the committee was desired to aid it, &c. ; that when speaking he was *pressed for time*, &c.]

Sir, I repeat, that with covert meanings I do not and cannot deal. I correctly state the gentleman's language, which harmonizes most completely with his argument as I have given it. Over and over again did he declare and exclaim against the unfairness of refusing to the administration an opportunity of "*defending*," and "*excusing*," and "*vindicating*" itself? I am not unconscious that the gentleman spoke under a *pressure*, as he says ; but he altogether mistakes in supposing that it was a pressure *for want of time*. It was a pressure of quite a different kind. It was a pressure which, overcoming for an instant the self-possession of the gentleman, revealed the truth unbidden. In a political sense, and with respect to these defalcations in particular, the gentleman was *in extremis* ; that was the pressure. And the explicit acknowledgment of executive responsibility escaped from the gentleman's *heart* (an organ not always employed when the *tongue* is) as a *dying declaration*. Such spontaneous ebullitions of truth are the more to be valued and respected when proceeding from the gentleman from Maryland, because so seldom occurring ; nor the less so because sought to be strangled by their parent so soon after their birth.

But, sir, it required no admission from the gentleman from Maryland to establish the responsibility of the administration for these abuses. We have the admission of one whose authority is supreme, the late President of the United States. In his triumphant career of conquest over the constitution and laws of his country, he reached, in the vicissitudes of the warfare, a point where it was, in his opinion, necessary to forego a small portion of power, or to assume unqualified *presidential responsibility* for the acts of every officer in the executive department. This exigency arose in the campaign of 1834. But it scarcely produced a momentary pause in the advance of the Executive. By his celebrated protest of the 15th of April, of that year, he not only *acknowledges*, but studiously *claims* "responsibility for the entire action of the executive department." As his ambition would tolerate no divided power, so his magnanimity would tolerate no divided responsibility. As his strong arm ruled all, he interposed his broad shoulders to bear all. He seems in some instances to have seized even barren power, simply for the sweets which its responsibilities afforded. Sir, that chief always associated the idea of power with that of responsibility. To his successor he has transmitted power ; let that successor take with it those responsibilities which in his hands attended it. He stands bound by solemn instruments, under his hand, to "*follow*." Let him not hesitate or falter. "Here is the bound : " the President is responsible "*for the entire action of the executive department*." The collector at New York belonged to "the executive department," and by his "*action*" has plundered the Treasury of nearly a million and a half of dollars ! Let the valiant successor *claim*, as the predecessor did, the responsibility attaching to this huge abuse. Presidential responsibility was the chosen weapon, but of late, in the good work of demolishing co-ordinate departments, and exalting the Executive on their ruins ; let not this President so suddenly cast it ingloriously away.

Do not understand me, sir, as admitting either the powers or the responsi-

bilities claimed by the late President. It is not necessary that I should admit or reject them. Had these defalcations occurred under any other administration, it might be proper to ascertain the true constitutional responsibility of the President and his associates in the administration. It is enough to apply to this administration that measure of responsibility which is claimed *by itself*. In passing judgment upon these defalcations, it is just and proper to subject the administration to the operation of *its own principles*; which, if true in 1834, when *power* was sought, are not less so in 1839, when *delinquency* is to be answered for. The administration stands *estopped* from contesting its responsibility for these misdeeds.

There are other considerations which should require this administration to stand responsible for these defalcations. It has already passed into history, that this administration (for I do not distinguish it from the preceding) was constructed on *the overthrow* of that which was terminated on the 4th of March, 1829. That administration, thus overthrown, is *now*, I believe, universally admitted to have been wise, pure, and patriotic; yet it was overthrown. In the war waged against it, the *administration* was held responsible for every evil of Government. There was at that day no complaint of insufficient laws. The whole poison was represented to lurk in *the administration* of the laws. The administration was regarded as the box of Pandora, from which sprang all the distempers of the State. It was execrated as the tree which bore the fruit,

“ Whose mortal taste brought death into the world,
And all our wo.”

Every shaft was winged at the administration; every blow was levelled at it. Throughout the whole assault, it was every where proclaimed that *a change of administration* was the potent medicine for all these disorders; that the stagnation and obstruction which had engendered these alleged ills would give place to free and vigorous action; that, like the revolution of 1688, a change of administration would infuse fresh blood into the Government, regenerate it, and quicken it into the most animated beneficence. But, sir, it is needless to enumerate the promises which were made, and the consequent expectations entertained, from a change of administration; for, as all imaginable evils were ascribed to the administration, so all imaginable blessings were to result from its overthrow.

If, therefore, the recorded *principles of executive responsibility* which I have mentioned should not be employed against this administration, with respect to these defalcations, can any thing be more just than to apply to it *the principles upon which it acted, throughout*, against the preceding administration?

But the gentleman from Maryland, without contesting the general responsibility of the administration, imagines he discovers a *peculiarity* in the defalcations at New York, by which the administration is wholly exonerated; a peculiarity resulting from *the circumstances attending the appointment of the officer*. To this exonerating peculiarity I ask the especial attention of the House and (if one so inconsiderable as myself could hope to secure it) of the nation. This peculiarity, as stated by the gentleman himself, affords another instance, so extraordinary with him, of precious confession involuntarily escaping.

What does this exoneration consist in? In this, simply: *the President of the United States*, according to the gentleman from Maryland, *was highly suspicious, if not actually apprized, of the unfaithfulness and corruption of*

the officer, when he nominated him to the Senate! And, he triumphantly exclaims, the Senate was notified that causes of suspicion existed against the nominee, and yet did not reject him! That it was a *whig* Senate! and, *ergo*, forsooth, that the President is innocent and the opposition guilty of all the mischief resulting from the appointment!

It gives me profound pain, sir, to be obliged to lay my sacrilegious hands on so divine a structure of logic as this. Not presuming, then, to advance upon so impregnable a conclusion, trusting to the prowess of a feeble mortal arm, I approach it under cover of the great Moloch before whom the gentleman himself for a series of years has been accustomed to prostrate himself in worship. By him the constitutional revelation has been made, in the celebrated paper adverted to, that the "*selection of officers is made by THE PRESIDENT; and the negative given to the Senate, WITHOUT DIMINISHING HIS RESPONSIBILITY, furnishes an additional guarantee.*" Has the gentleman forgotten this revelation? or, addicted himself to dabbling a little in political divinity, and consequently a judge of spurious articles in that line, does he now publicly repudiate the gospels of that day?

If, then, sir, presidential responsibility was not allowed (as matter of prerogative) to be, in the least degree, diminished by the constitutional association of the Senate, how utterly futile and unworthy of reply is the effort of gentlemen, not only to diminish but to destroy that responsibility by asserting that the appointment of the officer was recommended by a number of *private citizens*, said to be opposed to the administration!

The gentleman from New York, too, [Mr. CAMBRELENG,] whose *unpremeditated confessions* are also of high authority, in his effort to establish this *exonerating peculiarity*, informs the House, with the most innocent simplicity, that he perfectly understood the character of the collector at New York, and knew him to be faithless and incompetent; represented the fact to the President, and protested against his nomination; and actually predicted the defalcations which ensued! "Angels and ministers of grace!" what a defence! Tearing from the President the only foundation upon which a rational defence could be predicated—the charitable presumption that he was ignorant of the character of the officer, and fixing upon him, by the infatuated officiousness of his own friends, an *actual personal knowledge that he was appointing to a post more demanding fidelity than any other relating to the revenue, an individual of deeply suspicious if not positively corrupt character!* I hand over the administration on this point to the tender mercies of its own friends.

The consideration of the subject now before the House furnishes a proper occasion to examine the doctrine, now universally received by the administration and its adherents, that *upon the legislative department, upon Congress, lies the responsibility of these defalcations, because of the imperfect state of the law*, to the entire exoneration of the Executive.

Without demonstrating the utter inconsistency of this doctrine with that of presidential responsibility for all executive action, as asserted by the late President, or its intrinsic fallacy, I must be indulged to present a curious, and, I think, highly important, historical reminiscence, intimately connected with the doctrine in question, and, I am sure, peculiarly edifying to the friends of the administration. It is an event of 1828, when the elements were conglomerating into the mass of which the party now in power consists.

It is within the memory of every one, that nearly all the alleged abuses of that day were pronounced (as I before stated) to be *administrative*, and there-

fore remediable by a change of administration. But there were a few points in which the *laws* were impugned, and proposed to be reformed. Amongst others, the laws organizing the Treasury Department (in which the late defalcations have chiefly occurred) attracted the observation and censure of the party; and at that time, as now, alterations of the laws in that Department were strenuously urged. Accordingly, the wand of *reform* was waved over it, and a committee of this House raised in 1828, of which the gentleman from New York [Mr. CAMBRELENG] was a member, specially instructed, amongst other things, to inquire "*whether AN EFFECTIVE SYSTEM OF ACCOUNTABILITY, and for the collection of the public dues,*" was established in the Treasury Department—an inquiry identical, as will be perceived, with that which is now applicable. That committee, the famous Retrenchment committee of 1828, in obedience to their instructions, entered vigorously upon the consideration of these complaints against the *laws* regulating the Treasury Department; and, in answer to the question with which the House had charged them as above stated, report: "Why, for any purpose of *public security*, an account should make *such complicated, various, and reiterated transits*, your committee are at a loss to perceive; the direct effect, however, is *to increase the labor, and, consequently, the number of public officers.*" * * "In the present age, *greater simplicity and economy* have been introduced in the management of both public and private affairs. *If these forms were simplified*, your committee believe" that the most favorable results would ensue.

From that proceeding, then, when analyzed, it appears that the grievance with the party then was, that *the laws* of the Treasury were too rigid, too complicated; that they implied too great a distrust of the integrity of not only public officers, but of mankind in general; that no "purpose of public security" demanded such intricacy of checks and guards; that economy was not duly consulted in this multiplication of labors and officers; the proposed remedy for all which was, "*to simplify the forms*" of that Department. The evil was not a want of security, but that there was an unnecessary degree of it! Not that the action of the Department was too loose, but too rigorous!

Now, now, sir, after the lapse of ten years of absolute ascendancy, (no alteration such as was proposed having been made or attempted in the laws of the Treasury,) the party again lift up their voices in complaint against the laws of the same Department. But how altered the complaint! It is now thundered forth, from the President of the United States down to the clerks of the custom-houses, that *the laws are too weak; that officers are too few; that the existing guards and checks are insufficient; that all is too simple; that the public treasure is being sunk by millions into hopeless defalcations; and that the Executive despairs, without legislative aid, of any longer conducting the Treasury with safety to the public!* The proposed remedy for which now is, not relaxation of the laws, as in 1828, but *checks and guards, bars and bolts, dungeons and infamy*, arrayed like "Gorgons dire," in terror over the executive officers at every step! All confidence in official fidelity utterly lost! The whole human race regarded as gangs of undetected felons!

The *laws*, then, being the same in 1838 that they were in 1828, with respect to the means of public security, whence, I demand, this calamitous difference in their effects? Whence this frightful degradation of official morals? The answer is plain. The laws are *differently administered!* But,

sir, I forbear to enlarge on this part of the subject. It conveys a deep and impressive moral, which the nation will draw for itself.

In ascertaining, therefore, the true nature of the contemplated proceeding of the House, it may, I think, be assumed, with the utmost confidence, that, subjecting this administration to *its own principles*, or to the precedent and authority of *its own practices in like cases against others*, it is exclusively responsible for all these defalcations—from the thousands in the West to the millions in the East—regarding them as *administrative abuses*.

Under this view of the question, could any thing be more monstrous than the demand of the Executive, through his responsible friends here, to be allowed to control and direct such proceedings as the House may institute in regard to his own maladministration? The only contest now is, who shall control and direct these proceedings—the *Executive* or the *House*? All depends on the composition of the proposed committee of investigation. The struggle is, “*Shall the House elect, or the Speaker appoint, that committee?*” The Executive demands the appointment by the Speaker; on the other side, the action and authority of *the House itself* are invoked.

Sir, this, I repeat, is plainly a proceeding by *the House*, on behalf of the people. The Executive has nothing to do with it. It is beyond his functions. It is founded on a power supervisory over the whole Government. It involves a display of prerogative, such as that occasionally exhibited by the House of Commons, whilst English liberty was in process of consolidation. To *the House itself*, therefore, ought to belong, and must belong, the exclusive direction of this operation, in its extent, objects, and instruments. *The will of the House* ought to govern in all that concerns it, especially in the instruments employed to execute that will. In the selection of those instruments, the Speaker might or might not express the will of the House; while a selection by the House itself necessarily would express it. The Executive dreads (and it has cause to dread) the uninfluenced action of this House upon these abuses. Hence the paroxysm of eagerness to secure the appointment of the committee by the Speaker of the House instead of the House itself!

Sir, as I have too much respect for my character as a Representative to make, irresponsibly, an unwarrantable assault upon the presiding officer of this House, so I regard too highly my character as a man, to affect for him a respect which I do not entertain. His friends, in their anxiety for his services in this delicate proceeding, have chosen to bring his official character under review; and thus, in some sense, extort from members opinions respecting that functionary which, however profoundly entertained, they might have anxiously forborne to express. For myself, however, I feel no embarrassment. I am here in the capacity of a Representative of the people, with high duties to perform. No considerations of respect for any public functionary, much less of unfelt respect, can be allowed to interfere with the stern and full performance of those duties. Of the Speaker of the House, then, I form my opinion upon his official acts. I judge of the future by the past; and, thus judging, I make free to pronounce that in his past action he furnishes to the Executive the amplest guarantee that no exigency in the affairs of the administration can possibly arise, to which *his devotion* will not be found completely adequate. He knows full well the qualities which recommended him for the distinguished post he now fills; and that, as a party was to be served, *inflexible political integrity* was not a *desideratum*. And, sir, he has been true to those who elevated him, and true to the qualities for which he was elevated. Look at his acts, public, recorded. Has he not



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striven to win the character and wear the laurels of *an unscrupulous instrument of executive will*, without having allowed one opportunity to pass unimproved? Nor has he been unsuccessful.

But, sir, if the Speaker were above all exception; if his public acts could be effaced, and future independence inferred from past subserviency; if, sir, you could (as the gentleman from Maryland invariably affects to do) harness up patriotism, like another Pegasus, and soar aloft high above the influence of power, or party, or mortal dross, and *act* (as the gentleman from Maryland invariably affects to *speak*) as the spotless instrument of Heaven in works of tenderest mercy to man, still, in an emergency like this, I could not and would not, in view of the dignity and prerogatives of the House of Representatives, intrust to you this power, which executive influence is so urgently striving to secure to you. After what has transpired, in debate and otherwise, on this question of "Who shall direct this investigation?" it is my opinion that but one course, honorable to the House, remains; and that I have already indicated.

Allow me, sir, in conclusion, to say that there is not the smallest hope of effective investigation into these alarming abuses, if you trust any thing to the Speaker of this House; because it is now manifest that such an investigation must deeply affect the administration; and his paramount allegiance is to the head of that administration, the President. It is vain to hope to strike the administration through him. Fabricate your thunderbolts, and hurl them as you may at the administration, for these deep delinquencies, they fall harmless if aimed *through him*. He is, sir, a *non-conductor* between public justice and this administration. The House must aim *over him*, by exercising for itself its own just authority.